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CHAIRMAN BOBBY BEATEN

CHARLES GARRY: I got the word Bobby from an attorney by the name of James Knight that you were beaten up last night by the sheriff's men. And he also told me that there was a witness by the name of George Bervich. Now pick it up from there and tell me what happened.

BOBBY SEALE: Well I think, I can't hardly hear or talk as you can hear and see. I was



Charles R. Garry and Chairman Bobby Seale

viciously choked, when they were getting ready to put me in the hole. I didn't care about going to the hole, but all I wanted was my legal papers with me. And not only that, I'm slightly ruptured, where I had an infection while I was in Chicago, it's coming back on again. Where one of them grabbed my testicles while the other was choking me; and the others were holding my arms, trying to put handcuffs on me. He grabbed and yanked on my testicles and penis. And the choking was so vicious that the only thing I remember after that was that I was thrown on the floor inside the solitary confinement hole cell.

CHARLES: What were you sent to the hole for? Why were they tryingto put you in the hole for?

BOBBY: It all started because I had a Black Panther Party Newspaper. Which I had asked the guard, as you know Charles, could I have the Paper. Because I wanted, had to, as you explained to me; write out what I meant by certain statements and things in the Paper. So that you could have them in my defense in court. So that you would be able to explain thoroughly. Well anyway, I had the Paper for this reason. I was in the hole cell, and they had to clean it out. Because the hole that was in the floor, that was suppose to flush down, would flush back up. And all the crap and stuff just came back out on the floor. And they finally pulled me out after all day yesterday of that kind of crap. And the officer who actually let me have the Paper, admitted that he had let me have the Paper, and it wasn't contraband. And that's where it all started. While I was visiting Sunday, I went back to the cell, and they said that I had a Black Panther Newspaper in my cell; and that's contraband. And I readily explained to them that the officer on duty the other night gave it to me so it could not be contraband. And tried to explain to them that it was wrong to, (they said that they were taking my visits away because I had the Paper), and I told them it was wrong. So in the process an argument pursued, in trying to get them to understand that if they would just simply investigate, they would find that the Paper was allowed in by another officer, right here. And in turn the argument wouldn't have broken out. But I called him a pig for denying me my rights. And not at least going through the process to investigate to find out that the Paper wasn't contraband. Because I had been allowed to have it, for the purpose of writing out a complete outline on some of the statements that the Party had made and especially that I had made. That's the reason. And then they came the next morning and took me to the hole.

CHARLES: Would that be Monday morning, yesterday?

BOBBY: Yes, I don't know maybe it was about 9:00 or 10:00, and I went down to the hole. I told them that they could have the rest of the property, but I wanted to keep my legal writings with me. And they told me I couldn't have them. And I told them that I thought I had a right to have my legal statements or anything relating to my legal rights with me, while I'm in jail. And they called up about 6 or 7 officers, sheriff's men around here. And I told them that I wanted to keep my legal stuff with me; and I'm not scared of their hole, I'll go to their hole. And proceeded to walk towards the hole with my legal statements in my hand. And they jumped me at that point, and snatched me back. And threw me to the floor. And at the same time another one grabbed my testicles and penis and yanked at them, while another one viciously choked me. The choking was so bad, that well, I have a tonsillitis case, bad tonsils and they're swelling up right now, and I can't even half talk.

CHARLES: Have you called a doctor? Have you asked for a doctor to see you?

BOBBY: Yeah, they came by, and he realizes that I'm totally sick. And he's trying to keep the temperature down by giving me penicillin. He's trying to give me penicillin and some antibiotics. They say that's what they're giving me, but.....

CHARLES: Are you still in the hole?

BOBBY: Yes, I'm still in the hole.

CHARLES: What are you in the hole for?

BOBBY: They say I'm in the hole because I called an officer a pig. I'm trying to explain to them that if the officers hadn't of violated my rights, and we hadn't of pursued into the argument. If they would have just went and checked out, that I had really violated

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DEPUTY CHAIRMAN FRED HAMPTON ON CANADA

We began our trip by going to the airport here in Chicago and the ticket agent followed us all the way to the plane to remind us that we are not allowed to carry weapons on the plane. From the beginning of our trip it was very clear that the only people on the plane were Panthers, pigs and pilots.

We got to Winnipeg, where we had to go through customs, and were treated very antagonistically by a very fat pig. We showed him our telegram, and told him that there had been a change in people who were scheduled to make the trip. He told us that they already had our seals made out and to just sign the same names on the seals that were there. We did that, and he allowed us to go on.

We went to Saskatoon, Regina and to Edmonton, Alberta. We spoke on all the campuses. Every campus that we spoke on we were heckled by the same pigs. They tried to start fights at two of the campuses but they were unsuccessful. The pigs even got up and took a very strong position against Kim Il Sung. We knew very well, when they took that anti position that Eldridge and the leadership of our Party were definately on the right line in following the teachings of the great leader of North Korea, Kim Il Sung. They were successful in their provocateur attempts to incite violence on the last trip that we made in Edmonton, Alberta. We were on the university campus there and the pig got up and said that Bobby Seale was a Black pussy cat and said that the leader Kim Il Sung was nothing but a counter-revolutionary and was known to be a counter-revolutionary. We didn't get antagonistic about it, we tried to



FRED HAMPTON

educate him in the manner that we had been educating during the duration of our trip through Canada. The pig proceeded then to tell me as I was trying to educate him that he'd go outside with me. I told him that our Party understands that he's an agent provocateur, we understand what he was sent there for and he had done the same thing in the earlier two trips. After he was unsuccessful in creating any violent confrontation between myself and him he then began to heckle African and West Indian students within the audience. He went even further to heckle White radical students. Finally there was a confrontation; he hit one of the radical students. There were around sixteen people fighting him and another pig. Because we had control of the microphone we were in the strategic position where our voices could be amplified. We told the people to sit down immediatly to resist the temptation of being drawn in by this smokescreen of racism, when all it was, (veryclearly) was a pig provocateur, an agent who was sent there to set up a situation, a violent situation within the meeting. Whereby those of us who were traveling on bond such as myself could be prosecuted for crossing the state lines to incite a riot. The people were very responsive. They did sit down; they avoided a violent confrontation; they avoided meeting us to a situation that could have caused much criminal oppression upon our Party.

From there we were supposed to go on further and speak at another university in Lethbridge where our Chief of Staff, David Hilliard had been previously. We weren't able to go there because of the very clear, overt fascist oppression that was being placed upon us. We were forced to catch a plane and go back to Winnipeg.

We got off the plane in Winnipeg and when we got off we were surrounded by people with badges who called themselves imagration agents. These people are similar to the people in the southern part of Babylon. We call Canada the northern part of Babylon, now after having actual experiences with it. They flashed their badges on us and had us surrounded and told us that they wanted to talk to us. The same fat pig who had told the people to sign their names on the seal no matter whether it was their names or not, had now set up a situation where he claimed that these people had forged their names. We showed him the same telegram we had to show him to even get passed him in the first place. The telegrams, two of them, had our names on them. Then we showed him all the papers where they had reported on our speaking. They had used the names Willie Calvin, Gerry Eldrich and Fred Hampton. They said that Willie Calvin and Gerry Eldrich were traveling under fradulent names; that they were traveling illegally and had entered Canada illegally. The fat pig that had told us to do this left the room immediately. We were not allowed to level any charges at him.

It was a trial that was similar to that which Chairman Bobby was confronted with. They told me to leave. I asked them if the brothers could have legal counsel and he said that they could be represented by a friend, a relative or anybody. I told them that I would like to represent the brothers but I would like to first call a lawyer. I called the lawyer and the lawyer called down there. And by the time we knew anything, the brothers had been tried in a closed court and they had been deported for using false identification to cross the border.

ALL POWER TO THEPEOPLE
POW's FOR PANTHERS!

Deputy Chairman
Illinois Chapter
Black Panther Party

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CHAIRMAN BOBBY BEATEN

nothing. Which started all of this mess. That they wouldn't have to be doing this to me. The officer who let me have the Paper had admited in front of 4 or 5 other officers that he actually, in fact, did let me have the Paper. And that's the reason that this mess started in the first place. They said that they were taking away my visits. I said for them to at least check it out, and check with the other officer to see whether or not he actually let me have the Panther Paper. And for them not to check it out, and take away my visits, then they're acting like pigs. They're denying me my rights. They know I have a right to visits, at least they could check it out. And they didn't do that. So they say, that since I called him a pig, that they're going to take all my visits away. I said and since you're violating my rights and haven't even got enough intelligence to check it out and find out that I really haven't done anything contraband; the officer allowed me to have it. If you just find that out, if you don't want to do that then I see you as a pig. You're a pig a hundred times. You can say what you want, take all my visits away, but that's the case. So this is why I can't talk right now.

CHARLES: How long are they supposed to keep you in the hole?

BOBBY: 10 or 15 days. So they say.

CHARLES: Bobby, you told me that the hole, that the flushing procedure comes back up. Would you tell us more about that.

BOBBY: It was broken last night, I guess. But I had to lay in it all day yesterday.

CHARLES: Had to lay in what?

BOBBY: Defecation, and crap and piss and what have you. It's not a real toilet, it's only a hole in the floor. It has some kind of a flushing mechanism. But all day yesterday, until they stopped it, I had to lay in the stuff. Because every hour and a half that it would flush, it would not flush down, it would flush up. And flood the floor with water and defecation and urine and everything mixed up together.

CHARLES: Was there a cot or a bed for you to lie on?

BOBBY: No, there was no cot, just a flat square box floor, 4 by 7 cell. Four feet wide and seven feet long, approximately. Anyway you're just there.

CHARLES: What do you lie on?

BOBBY: On the floor.

CHARLES: On the cement floor?

BOBBY: Well, yes. It's cold. It's kind of like a rubber padded cell, but it's cold. It's right next to the cement, its only got about

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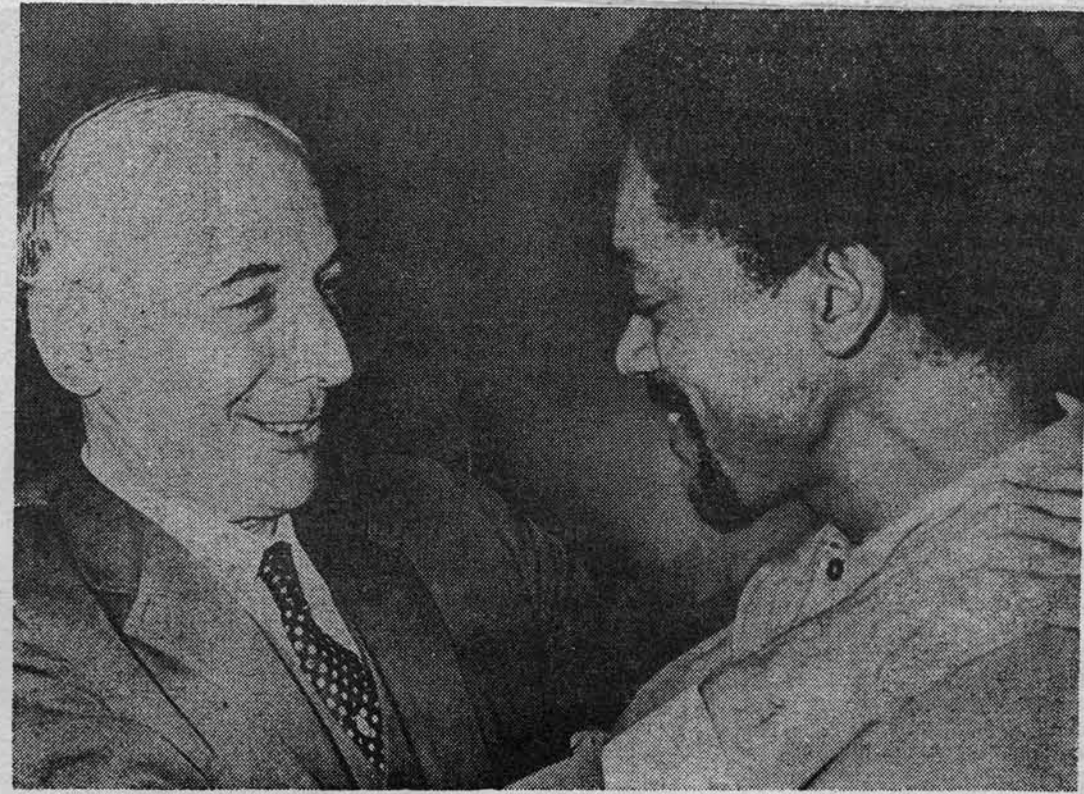
PRESS RELEASE FROM CHAIRMAN BOBBY SEALE

This is Bobby Seale, I'm a victim of American fascism sitting here in the San Francisco county prison. I would like to say to all the peoples of the world that fascism in America, domestic imperialism here, has to be put to an end. American fascism, which is domestic imperialism manifests itself in police state activities suppressing and oppressing peoples moves in America to attain self determination and basic human rights right here at home. The occupation of the Black community or the Brown community or the Indian reservation and other rural areas where poor oppressed peoples and many laboring peoples live is that of a foreign troop occupying territory. In that same manner, we speak of colonialism abroad but the poor oppressed peoples, Black people especially, can speak of colonialism at home. Community Imperialism. We understand the need to move forward to try to determine our destinies in our Black communities. Our Ten Point Platform and Program citing our basic constitutional rights, that are spelled out in the U.S. government, are denied wholly to us as a people. Not only here presently but through our overall historical experience here in America. When we move and attempt to use the basic constitutional rights in any form or fashion we can to try and end the exploitation, try and begin to end overt oppression, the hunger, the filth, the wretchedness of the ghettos, the wretchedness of our lives. When we try to move to a higher dignity and try to attain some kind of equality that's human and relates to our survival we see now in front of our face with this overall move in the last decade, fascist policemen occupying our community as Huey P. Newton says (and I repeat) like a foreign troop occupies territory. We see the fascism in the form of brutal murders throughout the Black community. We see fascism in the form of masses and thousands of cops and thousands of national guardsmen brutalizing and suppressing the peoples right to protest, right to redress their grievence to change the system. We feel the billy clubs crush our skulls and we feel the bullets that tear our flesh. And we morn the dead many times, over and over. Our Minister of Defense, Huey P. Newton, says, "The racist dog policeman must withdraw immediately from our communities, cease their wanton murder and brutality and torture of Black people or face the wrath of the armed people." We in America understand the need to end the war in Vietnam. We're Black people and we understand the desire and need for peace. But we understand also that with the four-hundred year oppressive situation that Black people are in, that Brown people are in, that American people are in, that even poor White people are in that it's necessary for us to pick up guns in defense of ourselves, which is also a constitutional right that is being suppressed. Being suppressed by the policemen at the orders of fascist ruling class circles infested in the U.S. government here. A government of gross exploitation, of capitalism and oppression. So much so that we as a people must move with the other peoples of the world in unity. And hope that all peoples of the world, the proletarian working class peoples of the world; the laborers, the poor oppressed move to rid ourselves of imperialism, fascism in America, is to rid the world of a monsterous beast.

The question comes to mind of why we are revolutionary socialists and why the fascist government is persecuting the Black Panther Party. Recently I know you heard about the denial of my constitutional rights in a court in the city of Chicago where I was viciously gagged by numerous marshals because I stood up and aksed and demanded my basic constitutional rights. Chained and shackled to a chair and not allowed to request motions or make motions on behalf of my legal defense that the very constitution says I have. This was an attempt along with other frame-up charges to try to place me along with other Black Panther Party members in prisons. First they got Huey P. Newton. They attempted to kill him and after they didn't kill him, tried to railroad him to the gas chamber. He's still in prison and we must free him. There are other trumped-up charges not only against me myself but in Connecticut, New Haven of some fourteen other Panther Party members and leaders of the Black Panther Party. There are numerous others here such as Charles Bursey in San Quentin who just recently went there three months ago. (State prison in California). There are some fifty odd Black Panther members who are political prisoners presently. And other Black political prisoners who are not necessarily Black Panther Party members. This is a form of repression that's not new. It's old, it's old as Germany in Hitlers era. It's as old as the Klu Klux Klan here in America itself. It's as old as lynching and murder and brutality that's been happening to Black people for ages. The Black Panther Party is a leadership body in itself. With myself being persecuted and put in prison, Huey P. Newton, Eldridge Cleaver, and now David Hilliard who is the Chief of Staff of the Black Panther Party. They're trying to do him next, they're trying to railroad him through their court systems. Ray "Masai" Hewitt, Emory Douglas and other Black Panther Party leaders will be next after that.

So we're asking the people of the world to shine their lights upon American imperialism and American fascism here at home in America.

So power to all the peoples; all the peoples of the world! And may the peoples revolutionary struggle prevail over the imperialistic exploitation of the world and at home here in America, of the Black Brown and other poor oppressed peoples.



CHARLES GARRY & BOBBY SEALE AT S.F. COUNTY JAIL

CHARLES GARRY

Apparently, according to the note that was given to me to give to Bobby, legal information was necessary. I don't know just what that means. If the legal information is that, what's the status of Bobby Seale, I can give it to you as follows:

Bobby Selae, at the present time is awaiting extradition proceedings in San Francisco, California. And if the governor of the state of California grants the extradition request to the state of Connecticut, he will be removed from California and he will have to stand trial for conspiracy to commit murder in the state of Connecticut. He also is awaiting trial for the conspiracy case where the judge granted and declared a mistrail in the Chicago, Illinois case. He's also facing four years for contempt of court. For exercising his constitutional rights to demand to defend himself since he did not have counsel of his own choice; since counsel of his own choice was hospitalized and could not be present.

We intend to appeal that conviction. We intend to fight every avenue in the courts of America for every right that Bobby has been denied. The case in Connecticut is purely a fabrication, it's purely trumped-up and it has no basis in fact. But it's part of the scheme and device of the United States government to curtail and destroy the Black Panther Party and its leadership. Huey P. Newton, Eldirdge Cleaver, Bobby Seale, Charles Bursey and others are classic examples of the aggression against the Black Panther Party.

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CHAIRMAN BOBBY BEATEN

1/2 inches in there.

CHARLES: A 1/2 inch of what?

BOBBY: Nothing, it's really all floor.

CHARLES: Did they give you a blanket?

BOBBY: No blanket, none whatsoever. I want to see Doctor Fine. Because we have to deal with this tonsil thing. This thing is swollen up so bad that I can't even talk.

CHARLES: How about the doctor that you did see? Did he give you some medication for your tonsils?

BOBBY: He just looked down at it. And I told him that if he didn't give me anyting that I would most likely run a temperature, because I could feel it coming on.

CHARLES: Did you tell him you were sleeping on the cement floor?

BOBBY: They knew I was laying on the floor. When they came to the door, I was laying there shivering.

F.B.I. TERRORIZING THE PEOPLE

On Thursday November 6, 1969, the FBI headed by agents Gorden and Flyn along with four other lackies terrorizing the people and the Panthers and ex-Panthers of the Peekskill Community. The orders handed down from their boss J. Edgar "Hog" Hoover. Their attempt to destroy the party and terrorize the people through Fascism, demogogic, lying and oinking to the people. The fool FBI agents went through the community asking the people what do you know about the Panthers? The response from various mothers and ex-Panthers was go F--- yourself. This response was to the Panthers propaganda in the community and legal first aid, "Knowing Your Rights". One ex-Panther's mother when questioned by the FBI, was asked, "what do you know about the Party?" Her response was, "all I know about the Black Panther Party is that they give free clothing and that rich Pig Nelson Rockefeller cut the clothing allowance in my welfare check, and I signed the Petition that would put the power in the hands of the people and fire the rascist fascist pigs in this town. Now get off my porch before I throw hot lye on you." Another response was by a nine year old sister that attends liberation school, when asked by the FBI Flynn, "what do you think about the Panther Liberation School?". She said, "Five Pig." The pig oinked and said, "what does that mean?" Then she said, your not doing your job if you don't know what the 5th Amendment is. These are some of the responses from the community, when asked questions by the FBI. The Nixon power structure must make it clear in their minds that this type of terror in the people will do nothing but make the people respond to the Party even more. To respond to the Breakfast Program, Liberation School, Free Clothing, and Medical Clinic, and now being circulated in the community of Peekskill is the Petition of Decentralization.

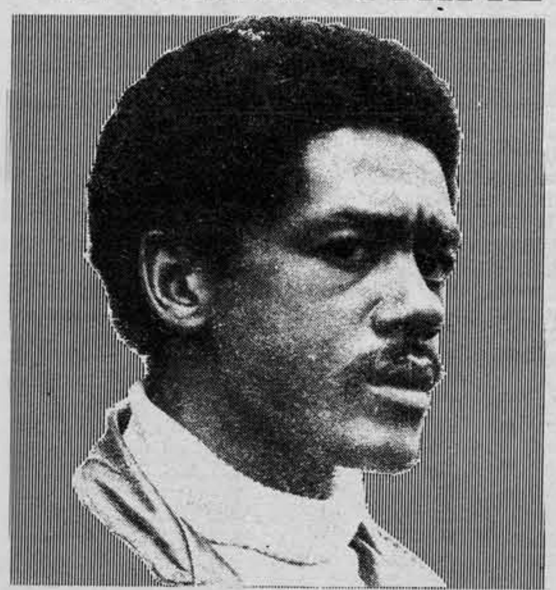
ALL POWER TO THE PEOPLE!
FREE HUEY
FREE BOBBY
PILOTS FOR PANTHERS!

FREE ALL POLITICAL PRISONERS

"THE GOVERNMENT IS ENTITLED TO A FAIR TRIAL HERE"...

Richard Shultz Assistant Prosecutor, Chicago 8 Trial

Reprinted from TRIBE



BOBBY SEALE

POLITICAL PRISONER

by Paul Glusman

What follows is not an absurdist play, but the proceedings of an American court of law. It is not a two-bit Mississippi court, it is a Federal Court, and the defendants are on trial for the violation of a civil rights act passed on April 11, 1968 as a memorial to the assassinated Martin Luther King.

The Conspiracy Eight—Tom Hayden, Abbie Hoffman, Dave Dellinger, Rennie Davis, Lee Weiner, Jerry Rubin, John Froines, and Bobby Seale—are charged with conspiracy to cross state lines with the intention of encouraging people to participate in a riot—riot being defined as an assemblage of three or more people where violence may occur.

They each face ten years in jail and a ten-thousand dollar fine if convicted.

William Kunstler and Leonard Weinglass represent seven of the eight defendants, all but Seale. Both are defendants too, facing many counts of "contempt."

Tom Foran is the Chicago US Attorney and head prosecutor. A Daley Democrat, he feels that no speech is protected by the US Constitution except purely the written and spoken word. He will be fired by the Nixon administration after this case and will probably run for US Senator from Illinois. He is fond of making campaign speeches in the courtroom.

Richard Schultz is the assistant prosecutor who kisses Judge Hoffman's ass and does most of the work.

Judge Julius Hoffman (THE COURT in the transcript) is seventy-four. He married into Brunswick Corporation money and bought his seat on the bench in a 1952 Dirksen campaign. He was appointed by Eisenhower in 1953 to the federal judiciary. The last twenty-four cases in his court have ended in convictions. Twenty-five cases ago, when a jury acquitted, he put a juror in jail for two years for reading a newspaper clipping on the case.



ABBIE HOFFMAN

Bobby Seale throughout the trial maintained that he was unrepresented by counsel. Judge Hoffman insisted that Kunstler represented him. The record shows Seale fired Kunstler in open court before the jury heard any evidence, legally before the trial began.

At intervals throughout the trial, Seale would stand up and demand to cross-examine witnesses, accusing Judge Hoffman of being a racist in denying him his Constitutional rights as a black man to defend himself.

The day before these incidents, Hoffman ordered Seale gagged. Seale still spoke out so he could be heard. The gag was tightened and Seale was chained and shackled to his chair.

On October 30, Seale sat in his chair, a tight adhesive and tape gag in his mouth and around the top of his head. He was bound to the chair with handcuffs, leg shackles and a heavy leather strap.

In Nazi Germany, no defendant was ever bound and gagged in court.

MR. WEINGLASS: Isn't it a fact, Mr. Frapolly, that yesterday in response to some of my questions you were not able to recall because unlike Mr. Foran, I hadn't gone over and rehearsed with you for a period of four hours what you were to say in court ?

MR. FORAN: Your Honor, I object to that and I ask the jury to be directed to disregard the comments of counsel and I ask that he be admonished.

THE COURT: I sustain the objection and I direct the jury to disregard the question of Mr. Weinstein --Weinglass.

MR. WEINGLASS: Mr. Frapolly, would you explain to the jury why you could not recall all the conversations Mr. Foran had questioned you about on Monday?

MR. FORAN: Your Honor, I object to that and I ask the jury be directed to disregard it.

THE COURT: Sustain the objection.

MR. WEINGLASS: Your Honor, I fail to see what is objectionable about this question. The witness obviously had a very severe failure of memory which he didn't evidence on Monday and I think the jury is entitled to an explanation.

THE COURT: I not only direct the jury to disregard the question, I direct the jury to disregard the last remark of Mr. Weinglass.

MR. WEINGLASS: Mr. Frapolly, can you remember anything at all that you testified to here in three days that would indicate that the defendants were men of peaceful intent who wanted to come to this city to peacefully demonstrate and who rejected all of your ideas that they participate in violent acts ? Can you remember any portion of any conversation to that effect ?

MR. FORAN: I object to that.

THE COURT: Sustained.

MR. WEINGLASS: Isn't it a fact, Mr. Frapolly, that the only thing you testified to here in three days definitely were things that were coached and told you and that you could remember because you were coached only dealing with possible indications of the defendants' guilt, isn't that true ?

MR. FRAPOLLY: That is not true, sir.



DAVE DELLINGER

MR. WEINGLASS: That is not true ? You were with these men from August 9 to August 30. Could you give the jury one conversation that you would recall that would indicate that these men were men of peaceful intent ? Did you hear one conversation to that effect in the three weeks ?

MR. FORAN: Object.

THE COURT: I sustain it.

MR. WEINGLASS: Do you ever recall having a conversation with Mr. Dellinger wherein he indicated that all of the activities which were to occur in the City of Chicago...

MR. WEINGLASS: If Your Honor please, the buckles on the leather strap holding Mr. Seale's hand is digging into his hand and he appears to be trying to free his hand from that pressure. Could he be assisted ?

THE COURT: If the marshal has concluded that he needs assistance, of course.

(The jurors, who have been hustled out to the jury room more times than they or anyone else can remember, are on their feet even as the judge turns toward them)

I will excuse you, ladies and gentlemen of the jury, with my usual orders.

(As the jury files out, the Chief Marshall moves to inspect Bobby Seale's bindings. Seale struggles against the straps. Other marshalls restrain him forcefully.)

MR. KUNSTLER: Your Honor, when are we going to stop this medieval torture that is going on in this courtroom ? I think this is a disgrace.

(Jerry Rubin attempts to aid Seale; he is roughly shoved away)

MR. RUBIN: This guy is putting his elbow in Bobby's mouth and it wasn't necessary at all !

MR. KUNSTLER: This is no longer a court of order, Your Honor; this is a medieval torture chamber ! It is a disgrace! They are assaulting the other defendants also!

MR. SEALE (Who has managed to work off his gag): Don't hit me in my balls, motherfucker! (He pulls furiously at the leather strap.) This motherfucker is tight and it is stopping my blood!

MR. KUNSTLER: Your Honor, this is an unholy disgrace to the law that is going on in this courtroom and I as an American lawyer feel disgraced.

MR. FORAN: Created by Mr. Kunstler!

MR. KUNSTLER: Created by nothing other than what you have done to this man!

MR. RUBIN: You come down here and watch it, Judge.

MR. FORAN: May this record show that the outbursts are the defendant Rubin.

MR. SEALE: (Screaming at knot of marshals who now surround him): You fascist dogs, you rotten low-life son-of-a-bitch. I am glad I said it about Washington used to have slaves, the first President - - "

MR. DELLINGER: Somebody go to protect him!

MR. FORAN: Your Honor, may the record show that it is Mr. Dellinger saying someone go to protect him and the other comment is by Mr. Rubin.

MR. RUBIN: May the record show that Foran is a Nazi!

THE COURT: Everything you say will be taken down.

MR. KUNSTLER: Your Honor, we would like the names of the marshals. We are going to ask for a judicial investigation of the entire condition and the entire treatment of Bobby Seale.



JOHN FROINES

THE COURT: (Angry, admonitorily) You ask for anything that you want. When you begin to keep your word around here that you gave the court perhaps things can be done!

MR. KUNSTLER: (gesticulating) If we are going to talk about words I am prepared to give you back your words about Mr. Ball (Stu Ball, a member of the Conspiracy legal staff) yesterday and what he said you said to him. We have the transcript now.

THE COURT: Don't point at me, sir, in that manner!

MR. KUNSTLER: I just feel so utterly ashamed to be an American lawyer at this time!

THE COURT: (sharply) You should be ashamed of your conduct in this case, sir!

MR. KUNSTLER: What conduct... when a client is treated in this manner!

THE COURT: (exasperated) We will take a brief recess!

MR. KUNSTLER: Can we have somebody with Mr. Seale? We don't trust . . .

THE COURT: He is not your client, you said!

MR. KUNSTLER: We are speaking for the other seven.

THE COURT: The marshals will take care of him.

MR. RUBIN: They'll take care of him alright.

THE COURT: (to stenographer) Take that down. The court will be in recess.

THE CHIEF MARSHAL: (whacks gavel): All Rise ! This court will take a brief recess!

(As the judge moves swiftly from the courtroom, members of the press crowd around the defendants' table writing vigorously in their notebooks. Hurriedly, marshals remove Bobby Seale to the lockup. Other marshals swiftly clear the court room of spectators.)

(The session has been resumed: The full cast is reassembled. The judge, standing, surveys the defendants' side of the courtroom. All but two of the defendants are seated, refusing to rise upon the judge's return to the bench.)

THE COURT: Let the record show that...Are all of the defendants here ?

MR. SCHULTZ: No, your Honor. Mr. Weiner is not here.

THE COURT: We will have to wait until he comes...

(Immediately, Lee Weiner enters the courtroom and slips into a seat at Defendants' table)

Let the record show that none of the defendants have risen other than Mr. Froines and --

MR. SCHULTZ: (helpfully) Hayden.

THE COURT: -- and Mr. Hayden.

THE MARSHALL: The Court will now resume its session. **(The judge seats himself)**



JERRY RUBIN

THE COURT: (To Leonard Weinglass) Will you continue with your cross examination ?

MR. WEINGLASS: If your Honor please, I would like to inform the Court that the reason the other defendants are not rising, I am told, is because Mr. Seale is not able to rise due to the fact that he is shackled to his chair and they are sitting in silent protest of that fact.

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FAIR TRIAL

CONTINUED FROM PAGE 5

I further would like to inform the Court that standing here at this lectern, I am just five feet from a man who is shackled and gagged and tied, and who, when the jury is not in this courtroom...
THE COURT: (sharply) Will you continue with your cross examination ?
MR. WEINGLASS: ...is physically assaulted by the marshals...
THE COURT: If you have any observation about some other thing, I will permit you to make it at the end of your cross examination.



TOM HAYDEN

MR. WEINGLASS: I am attempting to explain to the court why it is impossible for me at this point to proceed with my cross examination of this witness.
THE COURT: If it isn't possible, then you may sit down.
MR. WEINGLASS: It is becoming -- I think it will soon be apparent to the Court that it is increasingly difficult for this proceeding to continue in any sort of an orderly fashion while one man is sitting here gagged, bound and beaten.
MR. FORAN: Your Honor, may I ask the jury be excused ?
(The jurors begin to rise.)
I object to Mr. Weinglass' comments as wholly improper.
THE COURT: Do you want to continue with your cross examination ?
MR. WEINGLASS: I do not.
THE COURT: Then you may sit down.
MR. WEINGLASS: At this point I would like to move the Court, as a motion of the defendants to poll the jury to see whether or not the jurors feel they can continue in this case with orderly deliberations while one man is sitting here receiving the treatment that Mr. Seale is being given in this room.
THE COURT: Deliberations --
MR. WEINGLASS: May we have a voir dire examination for this purpose ?
MR. FORAN: Your Honor, may the jury be excused ?
THE COURT: Yes. Ladies and gentlemen of the jury, you may be excused with the usual orders you have been given for the day.
(The jury files out)
MR. FORAN: That statement of counsel was the worst attempt to corrupt the jury that I have ever seen attempted by any lawyer and the Government protests and asks that counsel be admonished.
MR. WEINGLASS: I insist you admonish Mr.Foran. I have just made a motion, it is a legal motion, it is proper -- it is proper for an attorney before the Court whenever in the course of a legal proceedings he feels that a jury cannot continue with the orderly process of deliberation, to voir dire that jury. I have made that motion. I have made it in legal form. Mr. Foran knows there is nothing improper about it. However, he insists on answering that motion by a personal attack on me saying that it is the grossest misconduct.

We have had Mr. Foran sitting at counsel table acting as an attorney but seconding as some kind of an agent watching whom we talk to at this table and reporting to the Court; holding private conferences with Mr. Kunstler and myself, and then advising this Court as Mr. Schultz did of the private comment that Mr. Kunstler gave to him -- both a gross breach of an attorney's ethics.
We haven't, by the way, advised the Court of Mr.



RENNIE DAVIS

Schultz' answer to Mr. Kunstler. Mr. Kunstler, in that private conversation, asked him about the quality of the witness who he is bringing.
Mr. Schultz said, "We are scrapping the bottom of the barrel."
MR. SCHULTZ: (leaping to his feet, flushed; darts toward the lectern) That is not true. That is not -- Mr. Weinglass was not there. Mr. Weinglass . . . If the Court please! - -

MR. WEINGLASS: Mr. Kunstler advised me of it and that it is true.
MR. SCHULTZ: If the Court please! Mr. Weinglass' conduct in this case is a shameful thing! A shameful thing!
MR. WEINGLASS: Could we have a - -
MR. SCHULTZ: Mr. Weinglass in front of this jury . . .
THE COURT: Mr. Weinglass, you made a vile . . .
MR. WEINGLASS: You are going to have to hear from me because I am at the lectern and not Mr. Schultz. Are you going to permit him to interrupt?
THE COURT: Yes. Now you have . . .
MR. WEINGLASS: I am at the lectern . . .
THE COURT: You made a vile accusation about me . . .
MR. WEINGLASS: I have asked the Court for the normal privilege to answer the comments of the prosecution, and I have been denied it. I am being denied it after waiting for the prosecutor to finish his argument. Now Mr. Schultz interrupts me in the middle of mine and your Honor recognizes him, and that is the kind of treatment, duplicitous treatment that has been going on here for five weeks, and I object to it. I object to it !
THE COURT: You may continue, sir.
MR. WEINGLASS: Your Honor will recall at the beginning of this case I made a legal motion that this jury was improperly selected because persons who were not registered voters were excluded from the courtroom and I cited case law and I cited facts. Mr. Foran's answer to that argument was an unfounded allegation that somehow we and our staff and myself have been tampering with the jury.



Bobby shackled in fascist courtroom.

The only case he cited against us, Griffith v. the United States, if your Honor read it your Honor will know that that was a complete miscitation. It had nothing to do with the facts before the court.
THE COURT: Are you arguing now a motion that I have dendied, that I denied four or five weeks ago?
MR. WEINGLASS: I am answering Mr. Foran's charge that what I did by making this motion to voir dire the jury was gross misconduct. It was absolutely proper conduct. I would be remiss in my duty to my client if I stood in this courtroom with fifteen marshals standing at the door, one man gagged and bound, the marshals striking at him, and not asking the court the simple request of asking the jury if they could continue to deliberate in this trial. I see nothing improper with that. The only thing improper is Mr. Foran's answer. And I plead with this court to cite to Mr. Foran the canon ethics which your Honor knows about, which your Honor has a copy of, which admonishes attorneys in an adversary proceeding to refrain from making a personal attack on the opposing attorney. Not only have you permitted it, you have added to it your own intimidation of me personally that will be dealt with later !
THE COURT: That wasn't intimidation, sir; that was...

MR. WEINGLASS: I accepted that as intimidation.
THE COURT: You are mistaken. This court doesn't intimidate lawyers.
MR. WEINGLASS: What does your Honor intend...
THE COURT: It cautions you not to repeat your conduct . . .
MR. WEINGLASS: Well, I fail to see --
THE COURT: And again I caution you not to say -- utter the kind of remark you have made here this morning.
MR. WEINGLASS: I would like to know what remark I have made that --
THE COURT: I shall not answer your question, sir, because when I attempt to answer them you interrupt me.
MR. WEINGLASS: I give the court my assurance that I will not.
THE COURT: I couldn't take your assurance because you have violated it on many occasions.
MR. WEINGLASS: Well, there is another charge. I would like to know what I did this morning-that intimates contumacious conduct.
THE COURT: I told you, I will not answer your question.
MR. SCHULTZ: If the Court please, when the jury is brought in since Mr. Weinglass made statements in front of this jury that we can't proceed with this trial because a man is bound and beaten in front of the marshals I would ask the court that when the jury is brought in that the court again to somehow negate the comments that Mr. Weinglass tried to and in fact did make in front of the jury state again that Mr. Seale is bound because he continues to disrupt the trial and as soon as we get his assurance that he won't, the shackles and the gag will be taken off. I think that is proper -- the government is entitled to a fair trial here, too, and Mr. Weinglass is doing everything he can to deprive us of that.
I ask the Court to so instruct the jury because of Mr. Weinglass' comments.
MR. WEINGLASS: I think if your Honor is going to instruct the jury it will be that Mr. Seale continues to assert that he has the constitutional right to defend himself and that is why he is in shackles and that is why he is gagged.



LEE WEINER

THE COURT: You are directing me?
MR. WEINGLASS: I am making a request the same as Mr. Schultz makes a request. When he makes a request it is a request; when I make it, it is a demand.
MR. SCHULTZ: That is an example of how these lawyers are fostering this conduct . . . because they know as the court knows, and every lawyer knows, that the record is made for Mr. Seale but yet they persist in saying for the record that his Six Amendment rights have been violated. . . . This is unbelievable conduct. Maybe that is the way they practice in New York, but not here, not here. Mr. Weinglass and Mr. Kunstler . . .
MR. WEINGLASS: (angrily) Is your Honor going to cite the canon of ethics?
MR. SCHULTZ: (in the manner of a crusading DA) Mr. Weinglass and Mr. Kunstler together are assisting these defendants in all their efforts to disrupt, to destroy these proceedings, to corrupt the judicial process. Both of them, both of them together right at this rostrum. Mr. Weinglass just did it. I just want to make those comments, if the Court please.
MR. WEINGLASS: IF your Honor please, these are interesting comments because if your Honor will recall, yesterday Mr. Seale was seated at the table, the courtroom proceeding was not in any way disrupted until Mr. Schultz got up and told the Court that Mr. Seale made remarks to persons in the audience before your Honor came to the court which were designed to inflame the audience when, in fact, Mr. Seale did just the opposite. He told the audience to, "Cool it," and it was because of Mr. Schultz' interpretation of what Mr. Seale said to the audience that Mr. Seale is right now gagged and bound. And here he comes before the court now pleading somehow that this conduct was connected with something I have done and Mr. Kunstler has done. Actually yesterday at two o'clock Mr. Seale was seated quietly at the table until Mr. Schultz felt compelled to tell the court that he heard Mr. Seale say something that was inflammatory and it was not, it is that misstatement that has Mr. Seale in his present position.
MR. KUNSTLER: Your Honor, if I can just add one comment, speaking for the seven defendants, except Mr. Seale. The point here is not some appellate point. Mr. Seale wants to defend himself now, he wants to have his trial now and defend himself now and not some day in the future on some future trial. It is his right of defense now.
What Mr. Schultz is saying is that Mr. Seale must sit back, take your assurance, take his assurance that he has a good appellate point or may have one preserved on the record and some day after he is convicted and reversed in the Supreme Court come back here and retry this case. We want to try the case now.

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SHACKLED LIKE A SLAVE

With a resounding clang, the harsh piercing sound of metal ringing on metal rang in my ears. The haunting laughter of the perverted pigs who had slammed shut the flaps, closing off all outside light and ventilation lingered with me long after they had departed. There I stood without my shoes or socks on the cold concrete floor. The pungent stench of stale urine assaulted me and stung my nose and eyes. It brought back bitter memories of passages I had read in books about the filth and squalor of the slave quarters of 17th, 18th, and 19th century AmeriKKKa. Somewhere out of the dark recesses of my head I heard a little voice saying welcome to the "hole".

I had finally made the complete rounds. There is not a place left in the Denver County Dungeon -- that is euphemistically called a jail--where I have not been and suffered persecution for retaining my political beliefs. I thought about when brother Rory and I were first kidnapped off the streets and dragged off to this evil place. My mind drifted to how we were placed in a dirty concrete cell (#4) in the "isolation" section that had a light so dim until the mere striking of a match was like the brilliance of a signal flare and we had to shield our eyes from its intense light. For 40 days, because we refused to submit to performing involuntary servitude -- in accordance with our rights under the 13th and 14th amendments to the constitututution of the U.S.--and clean up the pigs funky pig pen, we were kept on a starvation diet that consisted of dry bread and water. Then when these tactics failed to break us they were changed and we began to receive food but then our mattresses and blankets were taken at 5:30 in the morning and we were left with nothing but the concrete floor or the hard cold iron bunk to sit on until 9:00 at night.

But just as one day follows another, all that had come and passed. Now here I was in the "hole, and again, as is that dark cubicle where I was not alone. You see there are three Panthers in the Denver County Dungeon, and the ruthless "jail" administration could not, indeed did not blink their eyes until all were "safely" stored away in isolation, separated away from the other prisoners so that we could not " stir up trouble" among the other poor souls who have the misfortune to inhabit this piece of hell. One Nat Turner had been enough. The slavemasters deathly fear a slave rebellion among the zombies who they completely control, and when the zombies dared to rise up in protest against the inhuman conditions here, Alfred, the other Panthers, and myself, found ourselves cast into the "hole". The events leading up to this step are typical of the types of brutality and arbitrariness of the so-called discipline that takes place in the Denver County Dungeon.

After four months of confinement in isolation in that dimly lit cell--during part of which we were starved, denied visits from friends or relatives, refused mail and correspondence, not allowed commissary (soap, toothpaste, etc.) were not allowed reading material of any kind and were allowed out only twice a week to shower and shave and then immediately returned to our 9' x 6' cell (less we contaminate someone with the germs of freedom and dignity)--the new keeper of the dungeon, fascist Warden William "Adolf Eichman" Nelson, who the prisoners had placed their hopes for partial relief from their suffering on, released us (Rory and myself) from "isolation" and allowed us to join the other prisoners in "population". This excursion into the ugly world of "population", however, was short lived and lasted less than a week. Hardly had Rory and I time to gain but the most perceptual knowledge of the programing, de-culturizing and dehumanizing that the savage guards exact upon the helpless prisoners, through intimidation and outright physical attacks, than we were accused of violating our visiting "privileges" and returned to isolation. Only this time Rory was returned to cell No. 4 and I was placed in what is called the "infirmary" (the Germans called the gas ovens in which 6 million Jews died--"showers").

From this point on the ghoulish mechanizations of "Adolf" Nelson and his friends began to unfold very rapidly. As I have said, there are three Panthers in this dungeon they call a jail: Rory Hithe, Alfred Hassan and myself. Alfred had been in "population" for quite sometime and had contiually resisted and spoken out against the unsanitary disease ridden conditions that abound here--the high rate of hepatitis outbreaks is a small measure of these unsavory conditions. The prisoners are forced to sleep on filthy mattresses that are caked with crud, blankets that are never changed or cleaned (Alfred had the same one for over seven months); the guards are totally unsympathetic to humanity and constantly threaten the inmates; pig slop is served and they (prison officials) have the nerve to call it food; only one 15 minute visit per week is allowed, that denies the inmates the right to see our friends and loved ones; there is a drastic lack of reading material with any social value, although sex and cowboy books abound; and numerous other injustices the prisoners are forced to endure. The overwhelming majority of these inmates I might add have not been convicted of any crime and are therefore considered to be innocent. (After witnessing this, my heart cries out in agony for those convicted and sentenced to prison).

Fascist "Adolf" Nelson and his ghoulish running dogs now sensed their chance to remove this oasis of sanity (Alfred) from the midst of this cesspool of despair. They accused Alfred of also violating his visiting "privileges" and sent him to "red tag". "Red tag" is a cell tier where prisoners are usually sent for political beliefs, the length of their hair or for refusing to be bootlicking lackeys and submit to their program of de-humanization. On "red tag" your food is pushed under your cell door to you. You only leave your cell to shower twice a week and once every 5 or 6 days to watch television. Like "isolation" and the "infirmary" there are no wholesome programs for recreation, in fact there is no recreation at all. Into this mass of human misery, this anachronistic piece of medieval barbarity, was now injected after spending one week in the "infirmary."

Soon after I arrived on "red tag" the bars were sprayed with D.D.T. and less than two hours later our food, which never even arrived warm, was slid under these D.D.T. infested bars for us to eat. I was in cubicle No. 15, a tiny confining concrete cubby hole 9 feet by 5 feet, our common goals and aspirations gave us a feeling of closeness not only with each other but also with Comrade Rory who we knew was undergoing similar treatment in the corner of the jail known as "isolation". Every night we would discuss politics and our people's (all the people's) liberation struggle. I had been on "red tag" about three days and Alfred about one and a half weeks when a list of grievances and demands were circulated for the approval and endorsement of the inmates on the tier. This was a very beautiful and inspiring sight, the zombies who had submitted for so long were beginning to awaken. Their in-humane, de-humanizing conditions had sparked their will to resist. This petition called for clean mattresses and blankets, hot food, daily showers, wholesome recreation and the repair of the radio speaker. Alfred and I, along with fourteen other inmates signed it. The petition was then placed in a sealed envelope and sent to the keeper of the dungeon "Adolf" Nelson. The next day brought even more glorious news, for another petition appeared. This one signed by over 150 people throughout the entire building. Indeed these prisoners who had suffered "peacefully" for so long in silence had begun to stand up, raise their voices and demand better treatment. We all signed this petition and "red tag" buzzed with excitement and expectation--for in unity there is strength and the inmates were united together. One day passed and the petition went unheeded and unanswered. Then two days passed with still no reply--the keeper of the dungeon "Adolf" Nelson had decided to ignore the petitions completely. On the 3rd day the prisoners took dramatic action, everyone on "red tag" threw their trays over the tier onto the floor at breakfast and lunch, 180 prisoners from the building refused to leave the chow hall and Warden "Adolf" Nelson was roused from his down-filled bed and called to the Denver County Dungeon. "Adolf" Nelson felt he now had the excuse to fulfill his ghoulish plan. Alfred and I were accused of being the ringleaders and were cast into the abyss they call "the hole". The ogre now had all three Panthers in 'isolation', away from his once complacent slaves. But the word had gotten out and the parasitic press decended on the dungeon. In the stories that appeared in the Denver press, no mention was made of the petitions from buildings six and eight, that were signed by over 300 inmates--Black, White, Brown and Red--brothers all, in this common hell hole. In the distorted press the demands were attributed to the Black Panther Party instead of to the inmates from whom they originated--as if the prisoners were unable to speak on their own--and Alfred and I were again pegged as the "ringleaders". Regardless of the calm reassuring statements by the keeper of the dungeon, Warden "Adolf" Nelson, that the situation was nothing serious, the slave revolt has shaken the very walls of this medieval dungeon and signals even greater things to come--for the conditions remain unchanged.

So here we are in "the hole", a place where the most recalcitrant slaves--our forefathers and mothers--were forced to abide in the reeking stench of dungeons to await their fate for daring to speak back to the slavemaster--harborers of freedom. Its been over 350 years and it hasn't been an easy task. There are no mattresses in "the hole", no water, no toilet and no ventilation. In order to relieve yourself, you are forced to squat down over a 6 inch dark filthy "hole" in the floor covered with a metal grate, and the guard, who is the only one who can flush it, flushes it every three to four hours at his convenience. The stench of this awful place is almost overwhelmingly nauseating and the cold concrete walls that are covered with anti-establishment graffeti and pleadings for mercy to a nonexistent god, and cold concrete floors robs the warmth from your very body. But Alfred, Rory--who is in the cell right next to "the hole"--and I laugh in the faces of these simple pigs Don't they, the knot-brained fools, know that oppression only creates resistance. I've been everywhere in this dungeon of despair: "isolation", "population", "infirmary", "red tag", and "the hole". My spirits were never higher and my resolve to fight on never stronger. I know that this is just a continuation of the brutal oppression that led to the slave revolts on the ships, Denmark Vessey, Nat Turner, Malcolm X, Harlem, Watts, Detroit, Huey P. Newton, Bobby Seale, and the revolt by the prisoners in the Denver County Dungeon rising up out of the very depths of moral degradation and humiliation. Although my body may be bound and shackled, the driving force cannot be held down by chains and will always seek freedom and dignity. Shackled like a slave? F--K IT! WE ARE LIVING IN AN ERA OF WORLD REVOLUTION. THE RED BOOK IS MY BIBLE, THE GUN IS MY STAFF.

ALL POWER TO THE PEOPLE

Landon Williams
Political Prisoner
Denver County Dungeon
Denver, Colorado



RORY AND LANDON STRONG DESPITE FASCIST COURTS AND JAILS

MESSAGE TO ORA

Tell Kijana I said that, youth make the revolution, the youth will keep it strong.

I miss you very much Ora. I know that you miss me a lot too. This is something that we've talked about many-a-time. We've talked about the fact that we might not always be together and the reason why. Because of the fact that we're in the bowels of fascist America, we feel that the things that we have are stronger than any bars or any jails that they can build and that our strength comes from our people. That's the only real power in the world. The only thing worth fighting and dying for.

I realized when I left that I might not be coming back or I might be delayed or whatever. And I know that you knew that too. I don't know, I just miss you a lot, baby. I miss our daughter. I miss being with the people. I miss teaching Political Education classes. I know P.E. classes are still going on because if they're not that means I didn't do my job while I was out.

I know that the people are going to survive fascist America. There never has been an oppressive society that the people have not been able to crush. They crushed all of them. They crushed the power of Rome, they crushed the British Empire and they'll crush the fascist American Empire. They'll trample it into the dirt.

Kijana now is going through the stage of perceptual knowledge. You should read to her a lot, like articles out of the newspaper. She may be too young to fully understand them now but she'll get used to hearing the words. When she does begin to understand more she'll start to form correct concepts about what fascism and capitalism are all about and what an evil system it is. And that we must all do all we can in order to crush it. She'll also understand the reason why her daddy isn't there, why Rory isn't there, why the Chairman and Huey aren't there. She'll understand that we all sacraficed and put everything we had on the line for the people. It's very important for her to understand that. We know that after the imperialists are overthrown they'll try a counter-revolution. We know that because that's historical materialism. If she doesn't understand why we fought and struggled so hard then she may have to go through this all over again. So it's up to you and up to the other Party members to teach Kijana and teach the other young Panthers. Like it said on the first newspaper this year: 1969 The Year of the Panther. That's right. There's little Bunchy Carter, John's baby is out, who else? Papa's got a little boy, Randy's got two boys, Randolph's got a little girl, we got a little girl, it's the year of the Panther. And all those Panther Cubs got to be educated correctly.

ALL POWER TO THE PEOPLE, WE'RE GONNA DAMN SURE WIN.

I'll see you on the day of victory and final victory belongs to the people.

Landon, Political Prisoner

TO ALL BROTHERS AND SISTERS

You know that me and brother Rory are here in Denver County Jail. Like they said, if you want to know the taste of a pear you must take a bite of it. And let me tell you, the bite in this jail is pretty bitter. But they can't get our spirit down because we know that the people are going to win. We know that; that's a fact.

All I want to say to all of you is just keep on pushing. They tried all kinds of tactics on us. They've tried starving us. That didn't do no good. We told them that getting us hungry or having us hungry was just like throwing Brer Rabbit in the brier patch. Because we grew up in the ghetto and we're used to hunger. It's things like that, that we're fighting to overcome and it just strengthens our resolve. They tried taking our mattresses away leaving us with a cold piece of concrete and a slab of steel to lay on all day. That didn't move us. We still refused to bow down to their arrogant demands. They tried separating us but we say that, that's just like picking up a stone to drop it on their own feet. Because now instead of us conducting propaganda in one place we conduct it in two places. So all the tactics of imperialism are doomed to defeat.

We've been talking to just about everybody. We talk to Chicano brothers. We talk to White radicals. We talk to Black brothers out here. And they all seem to understand that America is ridden with fascism and racism.

Talking about speaking to White radicals; you know that social practice is the criterion for the truth; and when they had me and brother Rory on bread and water this oppressor country radical used to sneak out of his cell everyday and bring us around some candy bars and some food, which is out of sight. He really shows that it's not a race problem. It's a problem of bureaucratic capitalism and he understood that.

Just keep on pushing on, brothers and sisters. That's all I got to say.

ALL POWER TO THE PEOPLE

Landon

RORY

This is Rory. I don't really know what to say. I feel like Eldridge did when he said, "What's there to talk about"? Because we still ain't free. But as for this prison--it has failed. Fascist kidnappers here in Denver have failed because me and Brother Landon are going to keep on pushing. And we hope that you're going to do the same. We know that you're going to do the same.

I really don't know what to say, I'm at a loss for words. I know this message is going to be heard by everyone and I just want you to know that Brother Landon and I will not bow down to tools of fascism. We will continue to carry the message of the Party wherever we're at. Our revolutionary strength, as far as being conquered, is unconquerable because it is founded in the people. And like I said, I really don't know what to say. I hope this will be sufficient.

ALL POWER TO THE PEOPLE

Rory Hithe
Political Prisoner

REACTIONARIES ARREST PANTHERS

Three members of the Philadelphia Branch of the Black Panther Party were signalled to stop at Walnut St. near 49th, on the 14th of November, at approximately 2:30 p.m. The occupants of the car, Richard Bruton, Herbert Hawkins, and Jackie Smaugh, were directed to get out of the car, which they did, and they were searched. Nigger lackey pig told them that they were dodging traffic. The Panthers then questioned the pigs about the split white lines, which got the criminal pigs uptight, making one pig say, "You...you got a nasty mouth, you got a nasty mouth". They insisted that it is illegal to switch lanes. For the Panthers life is illegal. But we're going to keep on living. Brother Richard, not wanting to get antagonistic, then ended the conversation with a 'Right On', leaving the pig to say, "you got a nasty mouth, you got a nasty mouth."

The Panthers were ordered up against the wall, as nigger lackey-buck-dancer snapped on the braces. Two more pig pushers, and one wagon came onto the scene. The Panthers were led to the wagon, in gestapo style, with Richard asking them what the charges were, the pigs answered, they didn't know. Headquarters told them to bring the Panthers in. The Panthers had 200 copies of our Black Community News Services, the Black Panther, which is used to hip people to fascist acts that go down like this one. They searched the car, and found nothing.

At approximately 3:10 p.m., they were separated.

Richard Bruton--among three pigs, insisted to know on what charges they were being held on-- they didn't know. They didn't know one thing about constitutional rights. They didn't know why they (the Panthers) were apprehended. Dummies, tools of the fascist power structure.

Angry words were passed and Richard was beaten unconsciously. These 'Guardians of the Law', beat one man unconscious for uttering words, consider a similar incident made by the people. Now, that's grounds for assault and battery. Was the pig charged? No, Richard Bruton, because he's Black, and a Panther, cannot receive the slightest inkling of justice, especially from the unjust.

At approximately 4:10 p.m., Richard woke up feeling every inch the way he looks in the picture. At 6:00 p.m., two gestapo pigs took him to P.G.H., where the doctor, checking him, told the nurse to prepare some penicillin and cocaine. Richard immediately refused treatment, and was taken back to the pig pen. As soon as he (we call Richard, Fish) was place in the cell, some pigs from the narc squad came to check the Panthers out. They checked, and checked, and triple-checked, the pig said, "He really is clean."

At 9:00 p.m., a pig told his pigish friends that they had found a rubber bag with some hypodermic needles with some residue in them...lying hypocritical, demagogic punks. At about 1:00 a.m., November 15, Herbert Hawkins and Jackie Smaugh were arraigned at $300.

The friends of the Panthers raised bail for Richard Bruton, which was set at $1,000. Herb and Jackie were charged with:

1. Larseny on an Auto
2. Possession of Narcotics
3. Conspiracy (?)
4. Receiving Stolen Goods

Fish was charged with:

1. Assault & Battery on a pig.
2. Larseny on an Auto
3. Possession of Narcotics
4. Conspiracy (?)
5. Receiving Stolen Goods
6. Resisting Arrest

POW's FOR PANTHERS,

ALL POWER TO THE PEOPLE

BLACK PANTHER PARTY
Philadelphia Branch
1928 W. Columbia Ave.
Phila., Pa. 19121
215-CE6-3358
West Cook

ARMY PIGS KIDNAP PANTHER

Harlem Branch, B.P.P.
Wednesday, Nov. 12,1969
Special Report: att: Defense Capt. N.J.
: att: O D. Harlem Branch

On Wednesday, Nov. 12,1969, at approximately 8:p.m , I was relieved from baby sitting by Twynman so I could go too another pad to bathe. As I turned the corner on 117th St., a plainclothed pig jumped out of a black car, shoved a badge and a .38 in my face and said I was under arrest and wanted by the A.F.P. (armed force police), for being AWOL. At this time another pig told me to stand up against the the car, they then hancuffed me and threw me in the back seat.

In the car, they said they knew I was in the B.P.P. which I did not deny.

We went to some building downtown where I was moved by these pigs to a room on the second floor, they then proceeded to ask me questions on the party and told me for being in the B.P.P. I was subject to being charged with treason and defecting into a communist party. I told them I was discharged in June under article 212, undesirable and received a Bad Conduct discharge for insubordination. They said your case wasn't closed so you're being charge with AWOL since the day you left. They went on to blow about being a disgrace to my country etc. They then unhandcuffed me and pulled my hands over my head and handcuffed my wrists to a pipe; bracing my back with a chair they pulled my shirt up over my chest and pulled my legs, then the pig said, I'm going to teach you how not to be a commie. He had a towel which was soaked wet and tighten up, he doubled it and started hitting it across my stomach, I lost count after seven. At approximately 4:00 I found myself in a cage with A.F.P. At about 5:00 clock I was handcuffed to another brother, then they transfered us to the 1st. Pct. downtown Manhattan. At 9:00 we were moved in a bus which took us to Ft. Dix, N.J. We arrived at 12:00. They took us to S.P.D., (special processing detachment), officers interviewed us and said we were going to the pound. Minutes before transfer they reprieved those orders and sent us to a barracks under restriction.

I took this opportunity to leave and call the Harlem office so they could get in touch with N.J., so someone could come and pick me up. I waited in the phone center so that I could get out. Clarie came at about 5:00 and took me and the brother that I was handcuffed to earlier , off the base. summary;

On my court martial (general) I was found guilty of insubordination. I was released from the pound, told that I would receive a record of the trial and discharge papers. I was given a transit request, at this time I lived in Rochester, N.Y. I have not yet heard from the pig army since my discharge on the 12th of this month.

Where they are coming from about my case not being closed I dont know. In as much I will not allow myself to be taken again into custody. In revolution one wins or one dies.

PIGS HARASS THE PEOPLE

On Nobember 3, me and another brother were selling Black Panther Newspapers if front of White Front Store and educating the masses, we saw fascist pigs in action.

We saw a sister run out of White Front with some pigs chasing behind her for no reason at all. The sister was finally cornered by the pigs. The sister told the pigs to leave her alone. She was aware that this was a form of pig harassment, since she had not committed any crime, but the fascist pigs continued to pull on her. The sister then opened her purse to show these scoundrols that she had nothing in her purse and in the process she said that she didn't have any pants in her purse. The pigs then pushed her into the car while all the time knowing that she was innocent. They pulled her out of the car and hand-cuffed her. They then took her back into White Front while the other lackey pigs followed behind bringing her friends.



We exposed this incident to the people around sighting this act as a perfect example of fascist tactics which are brought down upon our people everyday. This was a clear example of a false arrest. But Black people have no rights that the pigs are bound to respect.

Power To Those Who Deserve It
Zachary Abram
San Francisco Branch
Black Panther Party

PIGS VAMP ON PEOPLE

The pigs have shown through their practice that by their very nature have no regard for your lives, or your welfare.

On Friday November 15,1969, at approximately 9:15P.M , about ten cars of pigs with around five in each car pulled up in front of 164 Amboy Street jumped out of their cars and busted into the people apartments, and ransacked their homes.

It was reported by the people that the pigs had no search warrant and they told the people to get out of the god---- way, and that they (the pigs) were looking for someone. When the people protested to this kind of harassment the pigs pushed the people and their children around.

One brother was knocked over some tires he had taken off his car. Another brother reported that his grand-daughter was pushed and knocked out of the way by the pigs.

When the people came out of their apartments into the streets showing their disapproval. The pigs drew their guns and told the people to get back into their apartments.

Point #7 of our ten point program states, We want an immediate end to POLICE BRUTALITY and MURDER of black people." The people have shown that they want an end to Police Brutality, and they are relating to instituting Executive Mandate #3, which states; "those who approach our doors in the manner of outlaws, who seek to enter our homes illegally, unlawfully and in a rowdy fashion, those who kick our doors down with no authority and seek to ransack our homes in violation of our HUMAN RIGHTS, will hence-forth be treated as outlaws, as gangsters, as evildoers." We draw the line at the threshold of our doors."

When a pig drew his stick on one brother for protecting his baby, the brother related to the pig that he had a stick and he would use it if he (the pig) used his.

So Right On to the brother and the people.

ALL POWER TO THE PEOPLE!

BLACK PANTHER PARTY
BROOKLYN BRANCH
180 Sutter Avenue
Brooklyn, N.Y.

TO FINAL VICTORY

The overt stupid attempt to destroy the Black Panther Party leadership in particular and the rest of the membership in general will surely fail. The Black Panther Party is armed with four hundred years of experiences as interpreted through Marxist-Leninist principles, which helps the Party to deal with problems from a scientific viewpoint. Armed with these principles and the people on our side, the pig power structure doesn't have a chance.

The pig power structure would like you to believe that by jailing or killing of the leadership of the Black Panther Party, that the rest of the Party membership will soon die (fall out of the revolution). This is an out an out lie. The whole membership of the Black Panther Party knows the policies of the Party, and how to carry them out. It is not like your boss or the president of the fascist United States, where you have to bow and stoop to his command. In the Black Panther Party we criticize each other to find out what is the correct way and or what is the wrong way.

The leadership of the Black Panther Party is the higher body of the Party. They're members who have had more practice and more political education than the rest of the membership. They show the rest of the membership the correct way to carry out our Party's policy which have been taken from the masses such as the Free Breakfast Program and the Liberation School.

The people are also armed with our theory and our practice, they are armed with examples of how to go on resisting the pig power structure. The struggle will be carried through to the final victory of the people.

ALL POWER TO THE PEOPLE!

Richmond Branch
Black Panther Party
Eddie Denton

JOAN BIRD AND AFENI SHAKUR

Our Minister of Information, Eldridge Cleaver has said that women are not our weaker half, or our stronger half, they are our other half. We in the Black Panther Party do not relate to male chauvinism. When the fascist pig gestapo forces (FBI, CIA and state and local police) attack our people, in the colonies of North Amerikkka, they do not make a destinction between men and women. And many of our comrades, who are facing life imprisonment, or the death penalty, are women. Fourteen members of the New Haven Branch of the Black Panther Party (including our Chairman, Bobby Seale) were indicted for conspiracy to commit murder. Of the 14 Connecticut Panthers who have been



JOAN BIRD

held, without bail, since May 22, 1969, five are women. Three of the jailed sisters are pregnant with their first child.

Among the N.Y. 21, two of the members of the N.Y. 21 are women. They are Joan Bird and Afeni Shakur. On January 17, 1979 Joan Bird was found in a disabled car, near the scene of an alleged sniper attack on two pigs. Sister Joan was taken in for "questioning" and during the eighteen hours that she was held incommunicado, she was brutally tortured by Lindsay's finest pigs. On April 2, 1969 when fascist pig cops kicked down the door of Joan's home, she was already on $5,000. bail. This time, when she was re-arrested on the same alleged charges, she was held on a $100,000. ransom.

Afeni Shakur is not accused of having committed any crimes in the indictment. The only crime Afeni appears to be guilty of aside from being a hard working servant of the people - is that she is a beautiful writer (her "letters from jail" have appeared in the Black Panther Party black Community News Serivce on numerous occassions), an articulate speaker and a fromidable (to the pigs) organizer.

By indicting the N.Y. 21, the fascist pig power structure was trying to stop the implementation of the Free Breakfast for Children Program, in the N.Y.C. area. The national repression against the Party, can be directly linked to the spread of the Breakfast for Children Program. Just when the Breakfast Program was about to become a reality in New York, the N.Y 21 was framed. The FBI was going around the city bragging that "the Panthers in New York are finished." But the fascistic attempts to destroy the Party in New York, inpeded progress only momentarily; on May 19, 1969 the Harlem branch started its first Community Breakfast Program in honor of Malcolm X' s Birthday.

On October 8, 1969, Panther attorney, Gerald Lefcourt, informed us that the pigs were trying to get a new grand jury indictment against the N.Y. 21, and that it appeared so underhanded that two DA's had threatened to resign. The new indictment would be used to arrest the National Leadership of the Party and other members of the New York state Chapter.

A lawsuit was filed against the N.Y.C. Department of Corrections, charging Commissioner of Corrections, George F. McGrath with being responsible for the "cruel and unusual punishment" that the N.Y. 21 are being subjected to. On October 17, 1969, after the pigs played a run around game, by changing the court-room several times, the thirteen political prisoners were brought into court, accompanied with their usual security: a-pig-a-Panther. Lying pig DA Phillips announced the new grand jury indictment, alleging that the N.Y. 21 had also conspirered to blow-up subways. This, of course was totally insane. We would not blow-up subways that are ridden mainly by our own people and other oppressed people. Where most of the workers are Black and Puerto Rican and poor White people. Pig judge Murtagh set the trial date of the N.Y. 21 for November 17, 1969. The jurors, that were chosen , many of them were bank vice-presidents, definately do not make up a jury of our peer group. (point number 8 of our Platform and Program reads)

WE WANT ALL BLACK PEOPLE WHEN BROUGHT TO TRIAL TO BE TRIED IN COURT BY A JURY OF THEIR PEER GROUP OR PEOPLE FROM THEIR BLACK COMMUNITY AS DEFINED BY THE CONSTITUTION OF THE UNITED STATES.

When racist pig judge Julius J. Hoffman ordered Bobby Seale, Chairman of the Black Panther Party, gagged and chained for defending his constitutional rights, and then sentenced Bobby to four years in prison for defending his rights, it became very clear that historically nothing has changed. It was Dred Scott in 1857. Now it's Bobby Seale in 1969. For in the fasicst courts of decadent America, a Black man still doesn't have any rights that a White man is born to respect.

Acting on orders emanating from pig Nixon, via racist attorney general Mitchell, pig J.J. Hoffamn has set the precedent for the type of justice that all Black people will be the victims of in the criminal courts of dying Babylon. And we anticipate the



AFENI SHAKUR

same type of Nazi justice will be used to railroad the N Y 21 off to jail - when their trial starts.

Even though no trial date has been set for the Connecticut Panthers (which also has Chairman Bobby Seale charged with conspiracy to commit murder) the fascist courts of New Haven have already layed down the "ground rules". Everyone entering the courtroom will be searched. No cameras, tape recorders and no sketching will be allowed. All demonstrations will have to be held 500 feet away from the courthouse. On November 22, the New Haven Chapter of the Party has called for a national demonstration to protest the cruel and unusual treatment that the five Panther sisters are being subjected to (they are incarcerated at Niantic State Farm). Francis Carter, one of the three pregnant women gave birth to an eight pound baby boy on Wednesday, November 12, 1969. She named the baby, Che Alprentice (Bunchy) Carter. Rose Smith is due, interestingly enough, on December 24th or the 25th. Prison authorities have announced that the rest of the pregnant women will give birth under heavy armed guard in Lawrence Memorial Hospital in New London.

POW's FOR PANTHERS!
Zayd
Deputy Minister of Culture
N.Y.S. Chapter
Black Panther Party

N.Y. 21 GO ON TRIAL

It has been more than seven months since 21 members of the New York State Chapter of the Black Panther Party were indicted by a grand jury on trumped - up charges of conspiracy to blow-up department stores, railroad facilities and the Bronx Botanical Gardens. Thirteen Panthers are still being held in "preventive Detention," in lieu of a ransom of $100,000. each. They have had nineteen bail hearings, and each time, the fascist courts of New York city have refused to lower the ransom.

The bail system of fascist America was supposed to have been designed to insure the defendant's return to court and bail is usually granted, provided the arrested person is not considered to be a danger to the community. All of the N.Y. 21, up to the time of their arrest, were outstanding community workers and servants of the people. The astronimical ransom placed on the 21, and Panthers all across the country, (Landon Williams and Rory Hithe are being held for $200,000. each in Denver, Colorado) is nothing but a slick facade for "pretrial Detention." Convicted murders, while pending an appeal, can get out of jail on reasonable bails. But Freedom Fighters, who have not committed any crimes, are held for "king ransoms," which are tantamount to no bail at all.

Framing innocent dissenters and Black liberation fighters and railroading them to prison on jive conspiracy charges is nothing new in imperialist Amerikka. Our Minister of Defense, Huey P. Newton, was railroaded to jail by the racist pig courts in Alameda County, California. During the McCarthy era, conspiracy busts were used to imprison the leadership of the Communist Party, U.S.A. But New York, in particualr, has a long history of conspiracy busts. There's the Harlem Six in 1965. The plot to blow-up the Statue of Liberty in 1966. Seventeen members of Ram were indicted for conspiracy to assassinate moderate (uncle tom) civil rights leaders in 1967. And in 1968, five young brothers from Harlem were charged with conspiracy to break into armories and steal weapons and kill a pig a week. In 1969, the ball got to rolling with the N.Y. 21.

These thirteen political prisoners are being held in seven different jails in the New York city area. All of them have been subjected to "cruel and unusual punishment." The infamous "Tombs," however, is the worst of all the city jails. The Panthers who are jailed in the tombs are kept on 24-hour lock-up, the lighys in their cells remain on 24-hours a day, and they are only allowed to leave their cells to see visitors.

Lee Berry (who was kidnapped from a hospital bed on April 4, 1969), has had several epileptic seizures since he's been incarcerated in the Tombs. On July 23, 1969, Lee Berry suffered an epileptic seizure and while he was under the influence of medication, a racist pig (correction officer) ordered him to "get the f--k up." Still dazed, brother Lee Berry attempted to rise to his feet, and the gestapo pig guard drew a blackjack and commenced to beat him about the head.

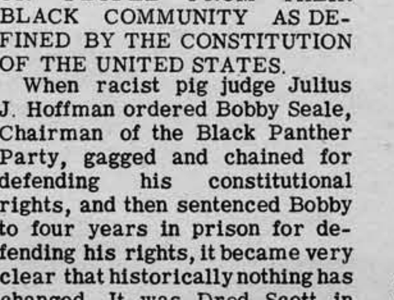
Other Panther have been placed in the "bing" (solitary confinement) when caught reading the Party Paper. The N.Y.C. Department of Corrections had declared that the Black Panther Black Community News Service is contraband. All of the N.Y. 21, at one time or another, have been placed in the "bing", which includes 24-hour lock-up, no showers, no mail, no visits and no commissary privileges.

SPEECH AT RALLY FOR PANTHER 21

On the eve of Friday, November 7th, in Rio Piedras, Puerto Rico, an attempt was made to burn down and destroy the national office of the Movement Pro Independence of Puerto Rico. The attack was headed by mobsters and deceased Cuban exiled worms and assisted by the colonial pigs. The attackers threw stones and tried to set fire to the building while the colonial pigs fired into the offices injuring Patriots, who, unarmed, valiantly defended their headquarters against the attackers. This attack against our brothers in the Island resounded and was felt here in New York. The Puerto Rican community, including the Puerto Rican students, assembled to denounce the political repression manifested on that eve and the day following the initial attack. Out of this assembly was born a coalition of Puerto Rican community and student groups. Today the coalition is making its first and firm stand to denounce the political repression here in the United States and in Puerto Rico.

We demand the release of all political prisoners, our brothers the Black Panthers, the Young Lords, the Puerto Rican Nationalists and our oppressed communities as well, for we are all political prisoners. If you don't understand what this means, if you think you are free, look around you. Look at the deplorable living conditions we are forced to live under. Look at the rats, the roaches, the miseducation our children receive, the permanent unemployment, the lack of adequate health programs, the degenerating welfare system that keeps our people impoverished and feeling incapable of functioning fully as a human being. Look at the drug scene that is killing our youth. Look at the migrant workers working from sunrise to sunset with one meal a day that cannot be called a meal where even the basic sanitary conditions are denied. Look at the political machinery that says it represents you and meanwhile passes laws that keep you repressed and if necessary will violate these very laws to repress you. If you don't believe that, look at what they are doing to Bobby Seale in Chicago.

In Puerto Rico Yanqui military bases occupy 30% of our able land. We are prisoners of the owners of the factories that exploit us with hunger salaries, of the rich Whites that own the cement slums where we pay the highest rents, of the racists that don't want us to have our education either in Puerto Rico's high schools or universities. We are also prisoners of the pigs that arrest us just because we are Puerto Ricans. The so-called war on poverty acts as a sucking machine to suck up our poten-



tial leadership and sets up phony programs to keep our attention diverted. Why? So we wouldn't think, and if we don't think we don't act.

The so-called justice department which we call the injustice department, has declared a war against the people. This is evident in the arrests made. Some of our brothers are jailed two, three oand four times. Some are in jail right now, inside prisons here and in Puerto Rico, just because they have struggled against this system. Pedro Albizu Campos spent half of his life in a Yanqui prison just because he protested and fought against social injustice. He was arrested, tortured and killed because he tried to destroy this system of exploitation and to build humane Puerto Rican society and nationality. Also jailed are dozens of Puerto Rican Nationalists, from our communities in New York and Chicago. Paul Luciano, Puerto Rican fighter of the Young Lords, has been arrested and imprisoned because he defended the Puerto Rican community. More than 100 brothers from the Black Panther Party, the revolutionary vanguard of the Black people, are also in jail. Today a mistrial will be held to try 21 Black Panthers. These are our people, they fight for our people. All of them have struggled with the people against exploitation.

Dick Gregory once said, "We are the convicts, but in Washington there are criminals, someday the convicts will be able to convict the criminals". We say, we are all convicts, we were born convicts and are now living the sentence. We the convicts are larger in number and the day is coming when we shall try all these criminals that are trying us now. And our trials will not be mistrials like theirs, for our trials will be trials by the people.

We the coalition of Puerto Rican community and student groups demand the release of our political prisoners. NOW

FREE THE BLACK PANTHERS
FREE THE YOUNG LORDS
FREE THE PUERTO RICAN NATIONALISTS

VIVA PUERTO RICO LIBRE
VIVA THE STRUGGLE OF THE OPPRESSED MASSES
POWER TO THE PEOPLE!

Aida Cuascot
Puerto Rican Coalition
MPI (Lucha)

KIM IL SUNG



The Attitude Towards The Viet Nam Question is a Touchstone That Distinguishes Between The Revolutionary Stand and The Opportunist Stand

What attitude one takes to U.S. imperialist aggression in Viet Nam and to the Vietnamese people's struggle against it, is a criterion that shows whether one is resolutely opposed to imperialism or not, and whether one actively supports the liberation struggle of the peoples or not. The attitude towards the Viet Nam question is a touchstone that distinguishes between the revolutionary stand and the opportunist stand, between proletarian internationalismand national egoism.

All the socialist countries and peace-loving peoples should oppose the aggression of U.S. imperialism in Viet Nam and render every possible support to the people of Viet Nam in their righteous war of liberation. As the Democratic Republic of Viet Nam is subjected to aggression by the U.S. imperialists, the socialist countries should fight more sharply against them and make every effort to support the people of Viet Nam. There should be neither vacillation nor passivity whatever on this point.

All the socialist countries should pool their strength and come to the aid of the fighting Vietnamese people and should foil the aggression of U.S. imperialism against Viet Nam by joint efforts. At present, however, the countries of the socialist camp are not keeping step with

afflicts the fighting people of Viet Nam and really grieves the Communists.

The faternal parties are not allowed to engage only in polemics over the Viet Nam question at the present moment when the Democratic Republic of Viet Nam is subjected to U.S. imperialist agression. It is the Workers' Party of Viet Nam that is master of the Viet Nam question. No one has the last say on this question except the Workers' Party of Viet Nam. As far as the Viet Nam question is concerned, the fraternal parties should at all times follow the policy of the Workers' Party of Viet Nam and support its stand. As regards the aid given by the fraternal countries to the Democratic Republic of Viet Nam, too, it is none other than the Workers' Party of Viet Nam that can pass correct judgement on it and the fraternal parties should respect it.

Today's situation is different from that of yesterday when the Soviet Union was making revolution all alone. Since there was no other socialist country in the world at that time, the Soviet Union had to cope with all matters, supply of arms included, for itself. But today when there exists the powerful socialist camp is there any reason why the

offer aid to the Democratic Republic of Viet Nam and the Vietnamese people are entitled to receive it. If the aid of the socialist countries to the Vietnamese people is used effectively in the battle against the U.S. imperialist aggressors, then it is all too good a thing, by no means bad. In order to defeat the U.S. imperialists in Viet Nam, all the brother countries should give more aid to the Democratic Republic of Viet Nam.

Such, we consider, is the revolutionary stand of opposing U.S. imperialist aggression in Viet Nam in deed and is the internationalist stand of helping the Vietnamese people in good earnest.

Now is not the time for the socialist countries to stand by idly, only extending political support to the people of Viet Nam. They should take more positive actions to aid the Vietnamese people. In the light of the situation where the U.S. imperialists are extending aggression to the Democratic Republic of Viet Nam by bringing in troops of their satellite countries and puppets, every socialist country must dispatch volunteers to Viet Nam to defend the southeastern outpost of the socialist camp and preserve peace in Asia and the world. This is the internationalist duty of the socialist



Kim Il Sung

pool their strength and come to the aid of the fighting Vietnamese people and should foil the aggression of U.S. imperialism against Viet Nam by joint efforts. At present, however, the countries of the socialist camp are not keeping step with each other in opposing U.S. imperialist aggression and aiding the Vietnamese people because of the differences among them. This

socialist country in the world at that time, the Soviet Union had to cope with all matters, supply of arms included, for itself. But today when there exists the powerful socialist camp is there any reason why the Vietnamese people should not receive aid from the fraternal socialist countries in the harsh war against the common enemy? The socialist countries are duty bound to

every socialist country must dispatch volunteers to Viet Nam to defend the southeastern outpost of the socialist camp and preserve peace in Asia and the world. This is the internationalist duty of the socialist countries to the fraternal people of Viet Nam. No one is entitled to object the socialist countries sending volunteers to Viet Nam.

Left Opportunism and Modern Revisionism

As historical experience shows, various deviations from Marxism-Leninism emerge in the course of revolution. This is not so surprising. As long as imperialism remains and the class struggle goes on, this is reflected in the working-class movement as Right and Left opportunism and struggles are waged against them. This is somewhat inevitable.

Right and Left opportunism are bourgeois and petty-bourgeois ideas appearing in the working-class movement. They distort the revolutionary quintessence of Marxism-Leninism from both extremes and do harm to the revolution. We must fight against Right and Left opportunism on two fronts.

Modern revisionism revises Marxism-Leninism and emasculates its revolutionary quintessence under the pretext of a "changed situation" and a "creative development." It rejects the class struggle and dictatorship of the proletariat, preaches class collaboration and gives up fighting imperialism. Besides, modern revisionism spreads illusions about imperialism and obstructs the revolutionary struggle of the peoples for social and national liberation in every way.

It is true that modern revisionism has already been dealt a severe blow by the principled struggle of the Marxist-Leninist parties and is on the decline. This, however, does not mean that modern revisionism has been surmounted completely. Modern revisionism still remains a big danger to the international communist movement. It finds expression above all in the weak-kneed attitude towards imperialism and the passive approach to the revolutionary struggle of the peoples. We, therefore, cannot slight the struggle against modern revisionism.

We must fight Left opportunism as well as modern revisionism. Left opportunism takes no heed to the changed realities and recites individual propositions of Marxism-Leninism in a dogmatic manner, and leads people to extremist action under super-revolutionary slogans. It also divorces the Party from the masses, splits the revolutionary forces and prevents a concentrated attack on the main enemy.

When Left opportunism is allowed to grow, it may also become as big a danger as modern revisionism both to an individual party and to the international communist movement. Without fighting Left opportunism, it is impossible to unite the anti-imperialist forces to wage a successful struggle against imperialism, nor is it possible to battle against modern revisionism well.

Thus both modern revisionism and Left opportunism cause tremendous obstacles to the advancement of the international revolutionary movement. It is wrong to shut one's eyes to the danger of Left opportunism under pretense of opposing modern revisionism, and it is likewise wrong to ignore the danger of modern revisionism for reasons of fighting Left opportunism. Unless Right and Left opportunism are overcome, it is impossible to lead revolution and construction correctly in each country, nor is it possible to advance the international revolutionary movement vigorously.

The struggle against Right and Left opportunism is inseparably linked with the strugle for the unity of the socialist camp and the cohesion of the international communist movement. Our Party will fight on against Right and Left opportunism, and at the same time uphold the banner of solidarity. We should not commit the Leftist error of rejecting solidarity for fighting opportunism, nor should we commit the Rightist error of giving up the struggle against opportunism for defending solidarity. Our Party will do all it can to safeguard the unity of the socialist camp and the cohesion of the international communist movement, while carrying on an uncompromising struggle against Right and Left opportunism.

The socialist camp and the international communist movement are the deciding factor in the development of the history of mankind at the present time. They are the most powerful revolutionary forces of our times that are confronting imperialism and all the forces of reaction. The existence of the united and powerful socialist camp and international communist movement checks the imperialist policy of aggression and war and inspires the revolutionary struggles of the peoples of the whole world.

The imperialists are afraid of the socialist camp and the international communist movement more than anything else. It is for this reason that the imperialists have incessantly perpetrated and are perpetrating armed aggression and subversive activities against the socialist countries. The imperialists are now attempting to eat up the socialist countries one by one.

Under these circumstances, what is most important is to defend the socialist camp jointly from imperialist aggression and, for this purpose, the socialist camp must stand firmly united as one. And yet, the socialist camp fails to advance now as a monolithic rank, as a united force, due to its internal differences. This exerts a negative influence upon the development of the world revolutionary movement and the international situation.

It is a sacred duty for every Communist to fight to defend the socialist camp and uphold its unity. The Communists must not tolerate any act of weakening the unity of the socialist camp. Renegades of the revolution must not be drawn into the socialist camp, nor must this or that country be excluded from it artificially. All this is an act of undermining the socialist camp. We cannot suffer anyone to destroy the socialist camp which was won by the working classes of the whole world with their blood. This is a matter of principle that concerns the destiny of the socialist camp and the future of the international revolutionary movement.

KIM IL SUNG

REPRINTED FROM

Kim Il Sung

THE PRESENT SITUATION AND THE TASKS OF OUR PARTY

Because I Refused to Kill I Was in the Long Binh Stockade

Viet People Threw Food in to Hungry GI Resisters

Reprinted from BOND

By a black Union organizer

The stockade in Long Binh Vietnam was given the name of LBJ, after President Lyndon B. Johnson's inauguration. The majority of the prisoners there are mostly guys that opposed the war and did not wish to continue being the murderers of the Vietnamese people. The LBJ stockade is located in the Saigon area, and most of the workers, other than the prisoners themselves, are Vietnamese civilians. The stockade is highly populated with black war resisters.

I was there from Aug. 1967 to Nov. 1967. During my "tour" of the stockade there I learned of the many different forms of torture the imperialist army practices. I was there for refusing to go back to the jungles of Vietnam because I saw no cause in what I was doing. Several of my fellow comrades had been killed on an operation that had no relation with the struggle that was going on back here in America, and the fact that the army would withhold news about the movement and the demonstrations that were taking place back here in the states.

For instance: the Newark, N.J. rebellion. This information was not printed in the Army Times. But we learned of this later from guys that were just arriving in Vietnam. So you can see how this imperialist system keeps the news from the men who are fighting.

The morale of the average fighting man in Vietnam is very low, and the majority of the blacks, Puerto Ricans, as well as whites oppose the war in Vietnam, but here in this country they tell the people that the morale of the men fighting the war is in it's highest form and the guys are really patriotic about the war. But I personally must disagree because guys everyday were being put into the LBJ for refusing to pick up arms, opposing the war, and some saying they refuse to fight because the war is unjust and they feel that it is a war for the wealthy citizens of America.

The condition of the stockade at LBJ was a violation of the Constitution of the United States of America and a violation of the human rights of the men. Your rights under the uniform code of military justice were denied in many forms of ways. The UCMJ was merely a weapon that really takes your rights away. Justice was not to be obtained in that any aspect or form you were guilty as far as the military was concerned.

The only people that actually supported us were the Vietnamese civilians. They would throw us food over the fence whenever they possibly could. As long as you wore the white arm band that made you a prisoner of the American system, they knew that you opposed the war in some form or other. And the Vietnamese people felt that they were not the only people being oppressed by the oppressor, the wealthy America. They supported us and gave us their fullest attention, to aid us the best way they possibly could. This is what really gave me strength toward opposing a war that was unjust. Because the people of the country knew that the only reason we were there was because we were taken from our homes and families to go off into a country where a war was taking place, that the majority really didn't know why we were there except the fact of making some people of this country more wealthy off GI blood.

Brutality there was in its highest form also. Racial incidents occurred very frequently, this was to keep the blacks and whites at each other so the stockade couldn't unite together as a brotherly team because the brass there knew what could happen when people unite and become as one. Working conditions there were just about in a slavery fashion, including very hard laboring, harassment from the guards, being fed what you might call food for animals. Meals were served in cans (C rations). Sometimes the cans were pierced in the top so air could leak through the cans into the food that it contains. Of course you were fed this anyway. The stockade in Long Binh is still in operation and we all must not forget our fellow war resisters that are there now.

PRISONERS OF WAR FOR POLITICAL PRISONERS

A NUMBER OF INDIVIDUAL GI'S AND GI ORGANIZATIONS FROM FT. DIX, NEW JERSEY TO SAIGON, SOUTH VIETNAM, HAVE SHOWN STRONG SUPPORT FOR THE BLACK PANTHER PARTY'S PURPOSAL OF FREEDOM FOR POLITICAL PRISONERS IN EXCHANGE FOR THE RELEASE OF AMERICAN PRISONERS OF WAR, NOW BEING HELD IN VIETNAM. THE INITIAL EXCHANGE WOULD BE FOR THE RELEASE OF HUEY P. NEWTON MINISTER OF DEFENSE AND LEADER OF THE BLACK PANTHER PARTY AND BOBBY SEALE, CHAIRMAN OF THE BLACK PANTHER PARTY. HUEY NEWTON AND BOBBY SEALE ARE THE FOUNDERS OF THE BLACK PANTHER PARTY AND HAVE PROVEN THEIR DEDICATION TO THE SURVIVAL LIBERATION STRUGGLE OF BLACK PEOPLE IN AMERIKKKA AND OPPRESSED PEOPLE EVERYWHERE. IF HUEY AND BOBBY ARE GIVEN JUSTICE (FREEDOM) THEY WILL RETURN TO THE BLACK COMMUNITY WITH NO STRINGS ATTACHED. IN RETURN THE VIETNAMESE PEOPLE WILL RELEASE SOME POW'S NOW HELD IN VIETNAM. THE METHOD, NUMBER, AND SELECTION OF THESE POW'S WILL BE DETERMINED BY THE VIETNAMESE PEOPLE.

THE NIXON - AGNEW - ROCKEFELLER-REGAN CONSPIRACY IS THE ONLY STUMBLING BLOCK TO THIS PURPOSAL FOR PEACE, FREEDOM AND JUSTICE. IT IS CLEAR THAT A PRESIDENT THAT CANNOT HEAR MILLIONS OF PEOPLE, THEIR UNITED CRY FOR PEACE, OR MILLIONS OF BLACK, BROWN, RED AND YELLOW PEOPLE IN THEIR DEMANDS FOR JUSTICE AND FREEDOM HAS A 'COMMUNICATIONS HANG-UP' WHEN ANYTHING OTHER THAN PROFIT IS CONCERNED. WITH THE EVIDENT LAST FEW CENTURIES FOR BLACK AND OTHER 'MINORITY' PEOPLE, IT IS CLEAR THAT DEMANDS FOR FREEDOM FOR POLITICAL PRISONERS AND PRISONERS OF WAR MUST BE LOUD, CLEAR AND FIRM.

IN THE INTEREST OF GIVING EYE-SIGHT TO THE BLIND (NIXON) AND HEARING TO THE DEAF (SPIRO) WE URGE BLACK GI'S IN PARTICULAR AND ALL GI'S IN GENERAL TO MAKE THEIR VIEWS ON THIS IMPORTANT SUBJECT KNOWN BY SENDING YOUR OPINONS AND POSITIONS ON THIS PURPOSAL TO THE BLACK PANTHER BLACK COMMUNITY NEWS SERVICE AND BY RAISING THE ISSUE IN YOUR E.M.CLUBS, GI PAPERS, UNDERGROUND PRESS ETC. ANY GI WHO IS NOT CONCERNED ABOUT POW'S IS AN A-- AND/OR A "LIFER." ANY NON-WHITE OR PROGRESSIVE WHITE WHO IS NOT CONCERNED ABOUT POLITICAL PRISONERS IS A BOOTLICKER, A MERCENARY AND A PIG (STILL A LIFER).

FTA
POWER TO THE PEOPLE
POW'S FOR PANTHERS



"ISNT IT WONDERFUL, BROTHERS — HE DIED SO YOU AND I MIGHT LIVE."

BLACK VIETNAM VETERAN SHOT DOWN AT FORT DIX

FORT DIX, N.J. (LNS) -- A Black Vietnam veteran was shot at Ft. Dix, by the soldier assigned to guard him, Saturday night, Nov. 8. It was the night before Jeffrey Russell, one of the Ft. Dix 38, was sentenced to two years at hard labor for his role in the rebellion of 150 GIs in the Dix stockade last June.

The Black soldier, Corporal Louis Hutchins, was shot in the back of the knee as he walked out of his barracks. Other soldiers in the barracks ran out after hearing the shot and found the guard standing over Hutchins, who was twitching on the ground. "I should have killed the Black ba----d," the guard answered when challenged by the GIs.

Hutchins won the Silver Star in Vietnam, and was up for the Congressional Medal of Honor for saving four wounded comrades under fire. He had missed formation and had been restricted to base. "About twenty guys miss formation every day," said one of his brothers in the company. "Our company passed its first General Inspection in 11 years just last week. It's unheard of to put an armed guard on a man for a routine thing like that."

GI reaction to the incident was angry. An officer was put in the hospital trying to make Hutchins' comrades disperse. The guard's belonging were picked up by Army personel at 3 in the morning. He has been moved out of sight and reach of the men in Hutchins' company. "And with good reason," says one of the GIs.

HUEY'S APPEAL

Part 12

EDITOR'S NOTE:

The following article is taken from the appeal prepared by the attorneys defending Huey P. Newton, Minister of Defense of the Black Panther Party. Huey's attorneys have moved to have the case reviewed by the Court of Appeals of the State of California. The Black Panther News Paper will print the appeal in part--every week to give the people all the facts as to why Huey P. Newton should be set free immediately.

Such proceedings contemplate exactly the type of hearing mandated by the California Supreme Court in Coffey, Caffey, and Curtis.

There is no showing on the record of the prior trial as to the prior trial court's inquiry into the defendant's understanding of the consequences of waiver or his understanding of his rights with respect to the trial court's ruling that he could not conduct his own defense if he had a public defender, and could not have a public defender toadvisehim if he did conduct his own defense. Rather, the record establishes that the prior trial court made little or no inquiry. The hearing mandated by the California Supreme Court is designed to make this inquiry and allow the defendant to present his case on the allegation of constitutional infirmity of a prior conviction. These questions were resolved adversely to defendant without his even being permitted to raise the issues germane to their decision.

3. FAILURE TO STRIKE THE PRIOR CONVICTION CONSTITUTED ERROR OF A SERIOUSLY PREJUDICIAL NATURE AND DEPRIVED DEFENDANT OF FEDERALLY PROTECTED CONSTITUTIONAL RIGHTS.

Even if it be determined, after evidentiary hearing, that defendant waived counsel at the prior trial, he did not waive counsel at the trial herein, and he was entitled to a determination of his right to be advised of the privilege against self-incrimination at the prior trial on the basis of counsel-assisted presentation of the facts at the evidentiary hearing. Otherwise, defendant suffers, as he did here, the deprivation anew.

The problem of "suffering the deprivation anew" was precisely the concern of the United States Supreme Court in Burgett v. Texas, 389 U.S. 109, 88 S Ct. 258 (1967), where the Court held that a prior conviction obtained against a defendant unrepresented by counsel could not be used to enhance a sentence under the Texas recidivist statute. The Court there said, per Mr. Justice Douglas:

> "(P) etitioner's right to counsel, a 'specific federal right' is being denied anew. This Court cannot permit such a result unless Gideon v. Wainwright is to suffer serious erosion." (389 U.S. at 116, 88 S.Ct. at 262.)

It is precisely to avoid the serious constitutional questions inherent in the problem of "suffering the constitutional deprivation anew" that the California Supreme Court devised its mandatory remedy. See "Evidentiary Use of constitutionally Defective Prior Convictions," 68 Columbia Law Review, 1168 (1968). (41)

FOOTNOTE

41. The article exhaustively reviews the constitutional question at issue here:

> "(T)he recent judicial expansion of the procedural requirements imposed on state criminal prosecutions by the fourteenth amendment make it necessary to consider whether a prior conviction may be used (to impeach, to provide circumstantial evidence toward the type of criminal conduct charged, in determining sentence) even though it was obtained through procedures which are not constitutionally inadequate..." (Id.)

The question has reached the United States Supreme Court in Burgett v. Texas, supra, and the California Supreme Court in People v. Coffey, supra.

END FOOTNOTE

In Burgett, the United States Supreme Court rejected the use of a prior conviction to enhance punishment. In Coffey, the California Supreme Court rejected the use of the prior conviction to impeach defendant's testimony at the second trial.

The prior conviction was here used 1) to impeach the defendant (C.T 277, 280), 2) to enhance punishment (C.T. 308, sentence increased from 1-15 years to 2-15 years), 3) as the basis of an instruction making defendant automatically guilty of second degree murder if the jury found that as an "ex-felon" he possessed a concealable weapon at the time of the alleged offenses (C.T. 262-63), and 4) as the basis of prosecution argument to the jury (R T 3552, 3600).

Defendant Newton thus suffered both the enhanced punishment prohibited in Burgett, and the impeachment prohibited in Coffey, and in addition other seriously prejudicial consequences of the use of the prior felony conviction. There can be no question of "harmless error" when punishment is enhanced by use of a constitutionally infirm prior conviction. (42)

Impeachment, always of importance in a criminal trial, was more than usually vital here because questions of the credibility of the defendant, Grier and Heanes were central, perhaps determinative to the verdicts. The dubious probative value and highly prejudicial nature of impeachment evidence are widely recognized. It is commonly accepted that informing a jury of a prior conviction before they retire to reach a verdict may lead to a less factual determination. (43)

FOOTNOTE

42. Harmless error question "cannot arise" when enhanced punishment is in issue. See 68 Columbia Law Review, 1170, n. 16.

43. See generally, Comment, "Use of Bad Character and Prior Convictions to Impeach a Defendant-Witness," 34 Fordham Law Review 107 (1965) Note, "Other Crimes Evidence at Trial," 70 Yale Law Journal 763 (1961). And on the difficulty of getting the jury to distinguish between evidence offered for substantive and impeachment purposes, despite a limiting charge, see Note, "Procedural Protections of the Criminal Defendant," 78 Harvard Law Review 426 441, (1964); and Note, "The Limiting Instruction," 51 Minn. Law Review 264 (1966).

While perhaps not reaching the gravity of constitutional deprivation caused by the failure to hold the evidentiary hearing, the trial court's failure to exclude the prior felony conviction because its prejudicial effects far outweighed its probative value was also prejudicial. See Luck v. United States, 348 F.2d 763 (D.C. Cir. 1965). Defendant's motion to exclude the prior felony conviction on this ground was denied (R.T. 2611-12) and defendant's subsequent offer to stipulate to the fact of the judgment of conviction rejected. The trial court refused to limit the prosecution to introducing the record of conviction and permitted testimony as to defendant's probationary period (Exhibit 67, R.T. 2613-14).

END FOOTNOTE

The prosecution here introduced the prior felony conviction near the close of its case (R.T. 2610). The prosecutor did not rest with introducing judgment of conviction, but offered, over objection, the testimony of a witness to emphasize the fact and circumstances of the conviction, and to support the prosecution's allegation that (R.T. 2612-13):

> "(Mr. Jensen)...(I)t is probative in terms of the frame of mind and the purpose of the defendant with reference to his conduct on October 28, 1967. It is now being offered on both bases."

Such multiple use of a prior felony conviction in a capital case, without the required contemporary investigation into alleged constitutional infirmities involving denial of right to counsel and right against self-incrimination, cannot be deemed harmless error. The trial court's failure to conduct the pre-trial hearing was reversible error.

D. Defendant Was Denied Due Process of Law and a Fair Trial by the Prosecution's Nondisclosure and Suppression of Material Evidence, and the Trial Court's Failure to Re-Open the Trial When the Defendant, After Continuing Diligence, Finally Discovered the Suppressed Evidence During Jury Deliberations.

1. THE FAILURE OF THE PROSECUTION TO DISCLOSE THE TRUE STATEMENT OF ITS WITNESS, HENRY GRIER, DESPITE SEVERAL DEFENSE REQUESTS THEREFOR, CONSTITUTED SUPPRESSION OF MATERIAL EVIDENCE.

a. Defendant's diligence at all stages of the proceedings in attempting to discover the statements of the witness Henry Grier.

Defendant moved, on numerous occasions, commencing before the indictment was filed and continuing until shortly before trial, for pre-trial discovery and inspection of the statements, no matter how reproduced, of all prosecution witnesses. (A detailed description of these motions is set forth in Appendix B, infra.)

The motions were continually denied as to names and statements of prosecution witnesses, except for the order of May 8, 1968 (C.T. 59-60), providing that the same should be provided to the defense 48 hours prior to the time the witnesses were sworn as witnesses, and the order of May 31, 1968 (C.T. 98-99), modifying the May 8 order to provide that the information should be given to the defense immediately after the trial and alternate jurors were sworn. As it turned out, the period of time elapsing between the defense's receipt of the names and statements, and the time when the witness Grier was sworn, was six days (R.T. 1576, 1683, 1694).

At the time the defense finally received Grier's name and statement, the prosecution gave no indication that the witness Grier would not be at the address given on the list of witnesses and their addresses furnished to the defense. In fact, the witness Grier was, at the same time the list was furnished to the defense, taken and kept in protective custody at an address unknown to the defense and at a place at all times different than that of the address furnished to the defense, until he appeared to testify on August 7, 1968 (R.T. 2054-55).

The defense moved to strike Grier's testimony on the ground that from the time the name, address and statement had been given to the defense until the time Grier took the witness stand, the defense had continuously, but unsuccessfully attempted to locate Grier, because he was in secret protective custody (R.T. 2087-89). At this time, prior to any knowledge of the inaccuracy in the statement actually given the defense, the defendant moved to strike on the ground that the prosecution "has gone out of its way to circumvent the right and the obligation and the duty of the defense to prepare its case..." (R.T. 2089).

The prosecution replied (R.T. 2089-90):

> "Mr. Jensen: ... (T) his whole subject matter of the existence of an eyewitness to the offense, or eyewitnesses to the offense, was litigated very early, in terms of discovery orders both before Judge Staats and before your Honor; so that it was well known. And there were rulings made by the Court in reference to the production of names of witnesses and statements by those witnesses, which were abided by by the prosecution.
>
> "So at the time that the Court made the order, after there had been the entire process of discovery and the question of when the names of witnesses should be divulged, the order was complied with.
>
> "The names were given to counsel and the statement of Mr. Grier was given to counsel. All right. There's no question that Mr. Grier then went into, as he calls it, so-called protective custody," (Emphasis added.)



The prosecution then misstated his remarks of August 1 (44) with reference to the availability of said witnesses and, leaving out his earlier qualification "if the witness chooses" (R.T. 2090-91):

> "(Mr. Jensen) If the Court will recall, it was also made clear on Thursday afternoon that if Mr. Garry wanted to talk to any witness, he could come to the District Attorney's office the following day and the witness would be there.
>
> ...
>
> "...If he does not want to take the offer to see the eyewitnesses, that is his problem.
>
> ...
>
> "There is nothing that has happened in this thing other than following the orders of the Court by the prosecution, and he has been made available to him to talk to." (Emphasis added.)

Defense motions to strike and for mistrial were denied (R.T. 2092).

FOOTNOTE

44. At the time the name of Henry Grier was first given to defense counsel, Mr. Jensen stated that "if (witnesses) would choose to be interviewed by (defense counsel)" (emphasis added), he, Jensen, would endeavor to have any of those witnesses that Mr. Garry wished to interview in the District Attorney's office the next day, and if Garry would come over there, the witnesses would there be available, if they chose to be (R.T. 1694).

END FOOTNOTE

On the second day of Grier's testimony, during cross-examination of Grier by Charles R. Garry, co-counsel Alexander Hoffman, pursuant to instructions from Mr. Garry, spoke to Mr. Jensen and re-requested, on behalf of the defense, the production of the original recording of the statement made by Grier at approximately 6:00 a.m. on October 28, 1967. Jensen told Hoffman that there was no tape recording of this statement but only a "dictabelt" or a "dictaphone thing" which was in the possession of the Oakland Police Department, and that there was available no machine on which to play the dictabelt. Hoffman pressed Jensen for its immediate production, but Jensen repeated that it was unavailable and would not furnish Hoffman the dictabelt or allow him to hear or even see it (Declaration of Alexander Hoffman in Support of Motion to Re-open Trial to Receive Additional and Newly Discovered Evidence, CT. 249).

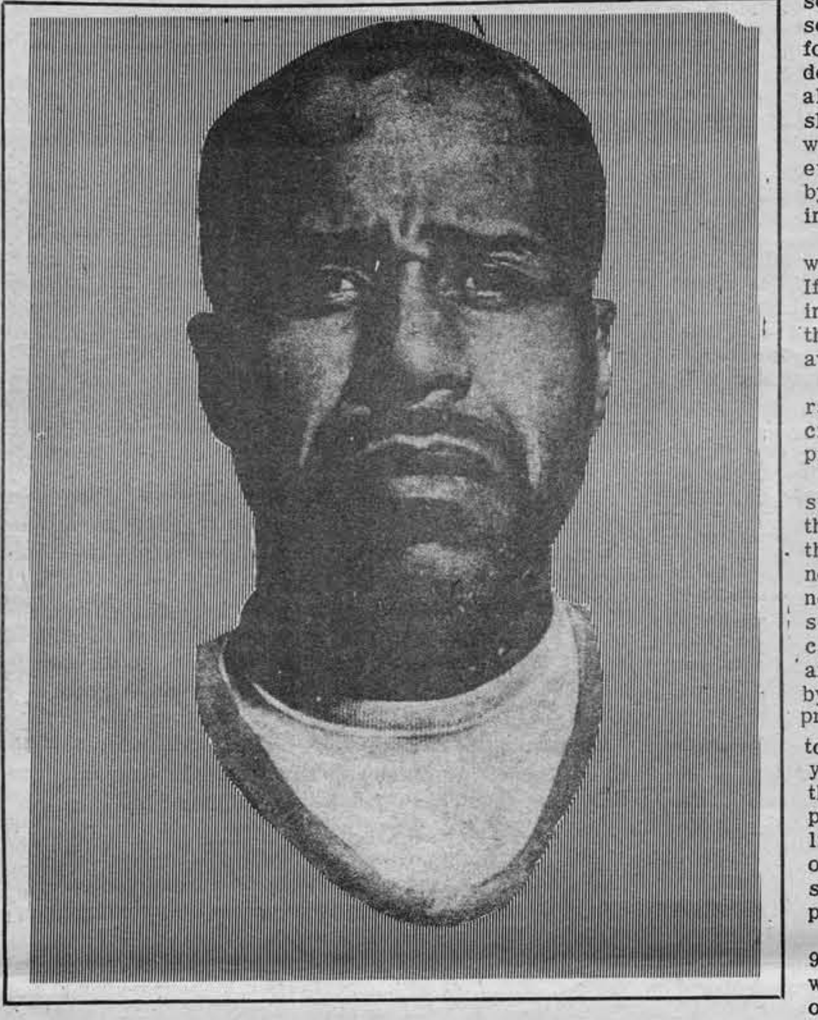
Finally, Edward Keating, co-counsel for the defense, pursuant to further instructions from Garry, while the jury was out deliberating, succeeded in making an appointment with Jensen, for 8:30 a.m. September 6, 1968, in order to listen to the original dictabelt (C.T. 250).

Keating was made to wait from 8:30 a.m. until 9:15 a.m., at which time Jensen appeared at his office and stated that he was in possession of the dictabelt but had no machine on which to play it (C.T. 250). At approximately 9:15 a.m., the District Attorney's staff found a machine, and Keating

Continued on Page 14

MARTIN SOSTRE VS NELSON ROCKEFELLER

NEW YORK (LNS) – "I envision a democratic socialist economy where the exploitation of man by man will be abolished... ...At present the world revolution has entered a new era.... The struggle of black people is part of the struggle of all people in the world against U.S. imperialism." These excerpts from



Martin Sostre's prison writings were read to the court by his lawyer, Victor Rabinowitz, as part of evidence that Sostre had been treated by the State as a political prisoner and that he had received cruel and unusual punishment at the hands of New York State prison officials.

The warden of Green Haven State prison Harold Follette, once punished Martin Sostre for having written down these and other thoughts, charging that Sostre had been keeping "contraband racist literature." "Racist" for the warden meant that it mentioned the names of Huey Newton, Bobby Seale and Eldridge Cleaver.

After reading the excerpt, Rabinowitz asked Follette, "Do you consider that racist?" Follette replied,

"That may not be racist, but it is revolutionary, it upsets the other prisoners" He went on, "I am concerned about the possibility of insurrection 24 hours a day."

Rabinowitz pursued the point. "Were you afraid that Martin Sostre was organizing an insurrection?"

Follette oinked: "Not after I put him in segregation (solitary confinement)."

This kind of treatment isn't new to the American prison system. But for the first time, a judge is being asked to rule on the techniques the government uses to silence opposition, and if the decision goes for Martin Sostre, the loser is Nelson Rockefeller.

Sostre wrote the brief for his suit against Gov. Rockefeller and three other state prison officials during the 13 months he spent in solitary confinement from August, 1968, to September, 1969. Just as he had been placed in solitary for his political actions, he was originally jailed after the 1967 Buffalo black rebellion for being a political activist. The police framed him up on narcotics charges for continuing to be active even after they destroyed his revolutionary Afro-Asian bookstore. Since he had served time on similar charges as a youth, he was slapped with a 41 year sentence.

The prosecution painted a dreary but not at all unusual picture of solitary confinement. Sostre explained that after spending twelve months in solitary in Green Haven prison, he managed to talk to a prison inspector who was walking past the cell.

"I told him about Ray Broderick (a prisoner in the next cell) who was terrorized into committing suicide. I told him I was being tortured and oppressed in solitary confinement for over a year I complained about the starvation on short rations, about how we had to go for seventeen hours a day without food. I told him about having no winter underwear. I told him about the obstruction of my mail to my attorney and to the courts."

Sostre also described the privilege" of one hour a day exercise, and that it carried the requirement that the prisoner submit to a "dehumanizing" search and physical examination; so Sostre never went to the yard for exercise. "They will never dehumanize me," he said. He also described the problems of sleeping in solitary confinement when a guard would come by every half hour to awaken him by shinging a powerful flashlight in his eyes.

"If your head is covered, he will kick the wall to wake you. If you don't wake up, he'll come into the cell and wake you, shake the bed or take your blanket away to punish you."

Sostre brought out clearly the racism of the prison system, citing that 80% of Green Haven's prisoners are black and brown.

But the racism of the prison system is part of the racism of the society. These are men who the society has no room for-- no jobs, no decent places to live, no way of providing for themselves or their families --- because of their race and class, and who were forced to survive by means of crime. Private property doesn't mean too much to you if you've never had any, so even though attacks on it by these people are not consciously political, they are still an attack on the society and the class structure that rely on private property.

Sostre also pointed out that 90% of the prison guards are white. And he accused the State of running concentration camps for black and brown people.

The defense tried to show that Sostre's treatment wasn't cruel and unusual, and tried to discredit the testimony of Sostre and other prisoners. What they succeeded in showing is that the New York State prison system consistently deprives prisoners of their legal and human rights.

The trial ended on Nov. 7 and the attorneys filed all of their briefs and motions with the judge, Constance Baker Motley. A decision is expected on Jan. 7. Prisoners all over the country are watching this case, and if Judge Motley decides in favor of Martin Sostre there will be an avalanche of similar cases.

But there may be even more than that. Solitary confinement and other prison tortures and harassments are an important part of the government's repressive machinery. Even if these practices are not struck down by the trial, even if Governor Rockefeller is not jailed, Martin Sostre has given an exciting glimpse of the future many of us look to, when the men who have ruled this country will finally have their day in court -- not as the judges, but as the accused.

BLACK MANIFESTO

Be it recorded on this day, the eleventh month, the fifteenth day, the 69th year of the twentieth century, that the so called Americans, the so called liberals, the so called radicals, the so called White people, have shamefully and disgracefully failed to recognize the wanton, brutal and racist mutilation of Black flesh in the country of hypocrisy.

You call a moritorium, your slogan, "bring the troops home now" is supposed to be indicative of your humane passions as American citizens. You claim that you support the right of self-determination for Vietnamese people abroad, while failing to recognize that Black people are engaged in the same struggle right before your very eyes. You take a couple of days out of your lives to protest the atrocities perpetrated against Vietnamese people abroad when you should be taking to the streets everyday to support the Black liberation struggle at home.

Last week a beautiful human being, a Black liberation fighter, Chairman Bobby Seale of the Black Panther Party, sustained one of the most flagrant attacks perpetrated on a defendant - a political prisoner- being tried in the American courts of Hypocrisy. Denied the 4th, 6th, 13th and 14th amendments, bound and gaged in court, Bobby was made a prime example of what Chief Justice Roger Taney meant when he stated, "the constitution is a White man's document, it don't apply to you, Nigger."

In the sixties alone, Black people have witnessed the assassination of Malcom X, Martin Luther King Jr., the invasion of Watts, Detroit, and Newark by foreign troops, while countless numbers of Black people are being slaughtered and gunned down in the streets of hypocrisy in cold blood.

A classic example of how racist oppression is attempting to systematically destroy the Black liberation movement is to look at the racist repression suffered by the Black Panther Party. First Huey P. Newton was ambushed, arrested and charged with murder and later convicted of manslaughter. Normally bail is granted when the case is appealed, this was denied Huey because his skin was not the same color of that Pig O'Brien who shot a Black man down in cold blood. Next Bobby Hutton was murdered and Eldridge forced into exile, Warren Wells was sentenced to life after two hung juries. And on August 19,1969 Bobby Seale was kidnapped by twenty shot-gun carrying F B.I. agents without a warrant which is necessary in order to detain a prisoner, by the F.B I.

These cases are classic examples of how racist political repression is leading to the systematic destruction of the Black liberation struggle being waged on the North American continent. When Black people were not being gunned down in the streets the racist oppressors used their courts and their laws to prove unlawfully by each swing of the pendulum that the oppressors are waging an undeclared war at home, and consequently Black people can never get justice from the slave-master's courts.

The problems confronting the Viet Namese our African and Latin brothers, our Indian and Chicano brothers is the same problem Black liberation fighters are confronted with. We are a people destroyed, a conquered people. Conquest is a violent process. It turns the conquered into broken, pliable things, objects upon which the conqueror acts, handling, shaping, manipulating them. Our conquest was only the beginning of an endless violence. Our present existence is this violence continued sharpened and refined, institutionalized and made such a permanent part of our lives.

Culture is the enviornment we function in. If we made it for our own needs, it then becomes our culture. If someone else made it and imposed it on us for his own purpose, what he'd have is a slave culture, and we can never speak of our own culture till we have destroyed that alien environment imprisoning us and constructed an environment of our own. In other words, for slaves no culture can exist outside the struggle to take over our environment and shape it ourselves

Look around and you will see that racial imperialism has caused Vietnams, Cubas, Mozambiques and now the struggle being waged on the North American continent. None of the environment was or is in anyway controlled by its indigenous enslaved population.

The only way out - because the indigenous populations were conquered by violence-is violent action; and becasue the enslaving system was built on violence and is maintained by the multi-form application of violence at every level, any of us who take action to break from our slavery, will of course, run directly into the violence of the oppressor i.e. people's park, the Vietnamese struggle and the Black liberation struggle on the shores of hypocrisy.

1. Withdraw all troops from Vietnam, Laos, Cambodia.
2. Withdraw all pigs from the Black, Brown, Yellow colonized areas on the North American continent.
3. Discharge all Black people from the armed service.
4. End all political repression at home.
5. Release all political prisoners abroad.
6. Release all political prisoners at home i.e. Bobby Seale, Huey P. Newton and all Black, Brown, Yellow and White freedom fighters.
7. Release all Black people who have been tried in the American courts of hypocrisy.
8. End racial imperialism and exploitation abroad.
9. End racial imperialism and exploitation of the colonized areas by White and Black capitalists at home.
10. Turn all subjugated land back to the people; or we will open a more united front at home.

Black Students Union
University Calif, Berkeley

CONTINUED FROM PAGE 13

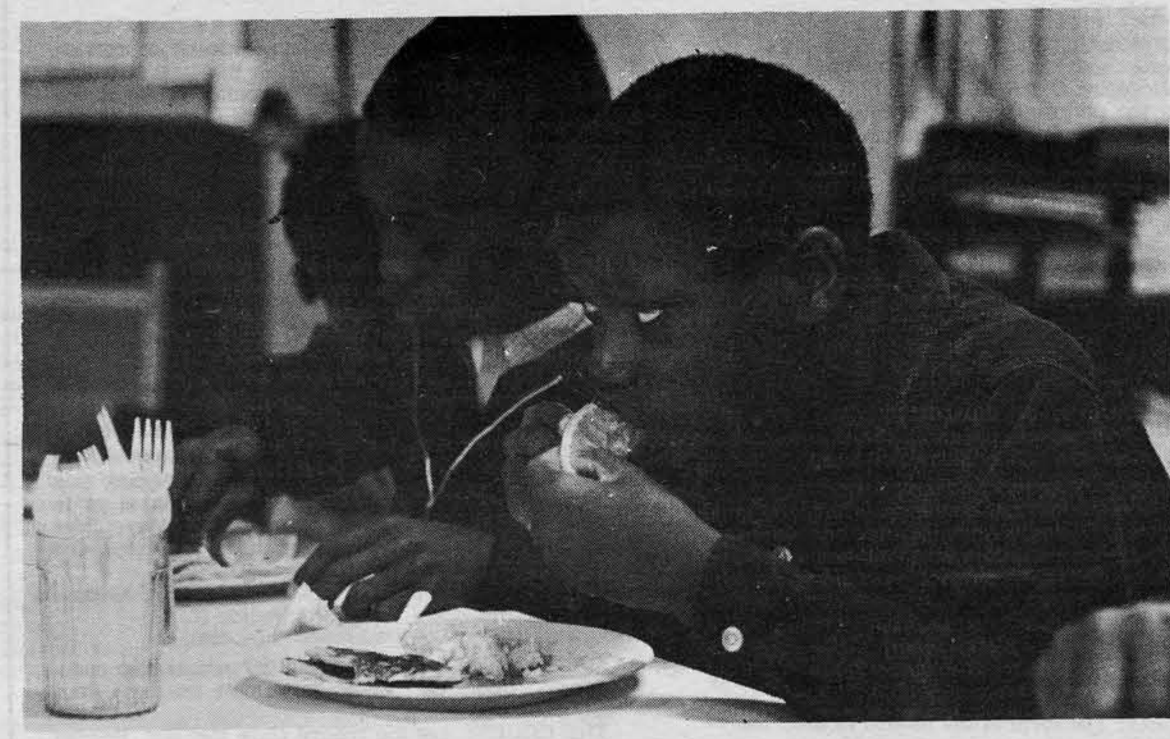
HUEY'S APPEAL

listened to the dictabelt in the presence of members of the District Attorney's staff and reproduced it on his own tape recorder (Id.).

Upon clearly hearing the word "didn't", rather than the "did" of the transcription furnished by the prosecution, Keating, and immediately thereafter, other counsel for defendant, hearing the word "didn't" on Keatings's reproduction, moved the court to re-open the trial to receive the dictabelt as additional and newly discovered evidence (C.T. 224) on grounds that 1) the original dictabelt clearly, unequivocally and indisputably established that at approximately 6:38 a.m. on October 28, 1967, Henry Grier stated that he "didn't" get a clear view of the face of the suspect, and said question went to the heart of the case; 2) defendant tried but could not have discovered the evidence despite due and continuing diligence; and 3) the original dictabelt was withheld and concealed from the defense despite numerous written and oral requests for its production. Declarations of Charles R. Garry, Alexander Hoffman and Edward Keating were filed in support of the motion.

ATTENTION:

If you have sons, husbands or friends who are prisoners of war in Vietnam, send us their name, rank and serial numbers. We will forward this information to Eldridge Cleaver, Minister of Information of the Black Panther Party; and attempt to exchange their freedom for the freedom of the Minister of Defense, Huey P. Newton and Chairman Bobby Seale, who are political prisoners here in "fascist Babylon."



S.F. BREAKFAST PROGRAM

Despite the repression put upon the Black Panther Party, we have not failed to serve the people. On Monday morning November 24, 1969 the San Francisco Branch is opening the second Breakfast Program for School Children in the city.

The breakfast will be held at Sacred Heart Church on Fell and Fillmore Sts. As you may know the breakfast was born at Sacred Heart Church, despite the threats on Father Boyle's life and his job, he has continued to help us serve the people. We tried many of the other churches in the Black community, and were refused the use of them. Due to the repair of Sacred Heart Church we were unable to use it. But Monday morning we will be serving free hot breakfasts there again. The other Breakfast Program in the city is located at 1642 Ellis St. It's been going on since the beginning of this school semester.

We need more locations for the breakfast, we would like to have several Breakfast Programs in the city. If you have any information on where we may be able to get donations of buildings, food or money get in touch with the Black Panther Party office, at 1336 Fillmore or call 922-0095.

ALL POWER TO THE YOUTH

San Francisco Branch,
Black Panther Party

COMMUNITY CONTROL OF POLICE

The question of why Peekskill needs community control of police has been brought up many times in the community, at meetings, rallies, etc. Party members have been asked numerous questions, but the most important are as follows:

1. Don't we have good police in Peekskill?
2. Does police brutality exist in Peekskill?
3. Is it not true that we have a good representation of Black police and auxiliary police?
4. Does a separate Black and White community exist in Peekskill?

Let us deal with these questions individually:

#1 - The police are supposed to be in the community to provide protection and to serve the people. The police are the armed body of the Fascist Pig Power Structure; they keep the people in the oppressed community in line through terror, murder, and brutalizing the people.

The police are armed troops just as the Imperialistic Army is in the Vietnamese community. A policeman will always say that his duty is first to protect property, then life. Property always comes first because he is the tool of the avaricious, (greedy) businessman.

#2 - Police brutality definitely exists in Peekskill. There have been numerous cases where police brutalize the people once they are arrested. For minor offenses, the individual is offered a choice, give up the goods or be arrested. Upon giving up the goods, they are arrested anyway.

The pigs of Peekskill allow the genocide of our community by the use of drugs, and refuse to go in and wipe it out. Our fascist Chief of Police has stated, and we quote, "I'd rather see niggers on drugs rather than alcohol, because then they won't tear up the town." These are two of the worst forms of police brutality, both physical and mental.

#3 - A pig is a pig is a pig, Black or White, for they are tools of the government and don't serve the people. Many of these Black pigs are misguided young men - armed - hence - "Rent A- Pig."

#4 - It is true that our community is well integrated. Yes, there is a sploshy Black community displaced by Urban Renewal, and good integration in the poor part of town where there are POOR Blacks, Whites, and Puerto Ricans.

The oppressed were taken into consideration while drawing up this petition, so that the petition will affect and serve the people in the oppressed community.

Benefits of Decentralization will be:

a - All the racist fascist pigs that are now employed will be fired. The power of the governing police will be in the hands of the people in the community. Every policeman will have to live in the community where he works.

b - It will stop rebellions and little riots that occur in the Black community which arise due to the tension that exists when racist pigs propagate madness in the community.

c - It will turn the records of the present pig station into the hands of the people, and all persons held without a fair trial or on false charges will be released from prisons and jails.

d - It will put to a halt dope problems that exist in Peekskill.

e - It will point out contradictions in the city government such as: demogogic lying deceiving politicians, ex. Michael J. DiBart, avaricious (greedy) businessmen, ex. Gibbs, and remove from power such fascist pigs as Chief Booth, Wyatt Sampson, Batman Shorty, and Robin Canazarro.

We must put an end to this capitalistic, paper police force. When the petition is circulated, we urge all citizens to sign, for the PEOPLE ALONE are the motive force of making world history.

MORE BREAKFAST SABOTAGE

The Free Breakfast Program in Richmond is doing fine aside from the pig harassment of the comrades. The pigs have been following us to the Breakfast in the early hours of the morning for weeks. On Wednesday, Nov. 12, we were leaving the office on our way to serve the children. We (Melvin, a brother from Richmond who drove us to the Breakfast, since we didn't have any transportation, and I) were sitting in his car waiting on the rest of the cadre. We noticed a pig car behind us, across the street. The pigs sat there for 10 minutes digging us, then they drove directly by us, went to the corner, made a "U" turn and parked. They stayed there a good 5 minutes, then drove back past us, made another "U" turn and parked directly behind us. They slowly emerged trying to look tough, strong, and fierce; only to oink something about traffic warrants. They told Melvin to get out of the car and show some identification; they also demanded mine, while one pig called in to check on the warrants. Comrades Daoud, Victor, and Gloria came outside to check out what was happening. The pigs then moved between their car and the comrades just arriving

After oinking on their radio a while longer, they told Melvin he was under arrest, and busted him. We then continued to the Breakfast in Melvin's car. Later after we couldn't get a bondsman to bail Melvin out on a $79.00 traffic warrant, we went into our treasury and bailed him out.

The next morning the pigs were parked down the street again; however, Melvin had left his car the night before, because we had come to the agreement that the pigs would try to rip him off on his way to f--k us up in the morning. The pigs followed us to the Breakfast that morning also and parked across the street to watch.

These fascist pigs thought that by busting Melvin they would stop our Breakfast. What foolish thinking. There are a lot of Melvins in Richmond, and as long as there are people like him, and this country remains under this fascist government, we will always have a Free Breakfast Program.

SEIZE THE TIME
Joe Cuba
Richmond Branch
Black Panther Party



Youth Make the Revolution!!!

BUSINESSMEN ATTEMPT TO BLOCK BREAKFAST

Ever since last May-1969, the Rockford Branch Ill. Chapter of the Black Panther Party has been preparing and serving a "hot breakfast" to the children on the Westside. Over 1500 breakfasts have been served with the help of people in the community. The little brothers and sisters in the breakfast understand very clearly that they are the "revolution". Whenever we ask them questions such as, "Why are you at the breakfasts?" They reply, "so I can grow and be strong and take the Panthers place." Right on youth.

Constant attempts are made to "sabotage" the Breakfast for Children program. The greedy avaricious businessmen in the community have been conspiring to destroy the Breakfast program. The only thing which has prevented them from moving on the Breakfast program, is the People. The people are aware that these greedy motherf--kers don't have the communities good at heart, and they are waiting for the stores to f--k up, so that they can move on them. One pig store (O'Donnells Supermarket) had to be confronted with some common political strategy. This fool was donating essentially 10 dollars worth of food per week, he mentioned that if he could not make a bigger profit that he would discontinue his donation. We showed him very clearly that we had the support of many people who spend 25-35 dollars per person in his store every week, and that if he would rather keep 10 dollars and lose maybe 25-35 dollars, then he is a fool who shouldn't even be around people.

Another store, American Supermarket so called "Black peoples store", refused to give any donation. This situation required much investigation, it was owned and operated by Black share holders (a few own over 10 shares) is indirectly connected with the syndicate. We were told by a friend of the Party that if we continue to pressure certain stores for donations, that the mafia would move on us. This was personified by the incident at O'Donnells supermarket, when Capt. Bell and Lt. Hawkins was accosted with a gun. However we maintain that a pig is a pig is a pig, and that the Mafia and the Syndicate are all part of the same Pig system which oppresses us.

The Children will continue to eat a free breakfast, and we will continue to get a donation from the businessmen in our community. Because we say that, We want an end to the robbery by the capitalist of our Black Community. And for the Mafia and Syndicate, F--k you motherf--kers.

ALL POWER TO THE PEOPLE!

Youth Make the Revolution!!!!
Willie T. Kent (Monk Teba)

Rockford Branch
Illinois Chapter B.P.P.

WE WANT DECENT HOUSING

"we want decent housing fit for shelter of human beings."

The housing situation in Brownsville is the worst in the city of New York. The area looks like the aftermath of World War II. The greedy avaricious landlords can never be found--their s--t is so bad that they don't even show up on rent day. Instead they send their bootlicking lackies to pick up the super exploitative rents. They refuse to supply the necessary services for the people that are required and which the people demand.

When a family on welfare refuses to pay because of the conditions, these housing pimps make deals with the welfare so that the checks will be sent directly to them. The corrupt housing officials are quickly swayed to report that there are no violations through bribes. The people have been lied to constantly by the demagogic politicians in City Hall and Albany. The people have been told to put pressure on the landlords and the city will reduce the rent and take over the building. This is just one of the contradictions that lies within the power structure because what the politicians are doing is trying to rip off the land as cheap as they can get it and up goes middle income housing which will cause the masses of poor oppressed people to become nomands again and cause the people to wander the streets of the city looking for decent housing only to find another Brownsville.

The people are hip and the people are tired of this method of genocide where their children are destroyed, murdered by rats hot water in the winter. The people are also hip to the lying demagogic politician.

and lead poisoning, where their food supply is being destroyed by mice and roaches, where the children are dying of pneumonia because of the lack of heat and

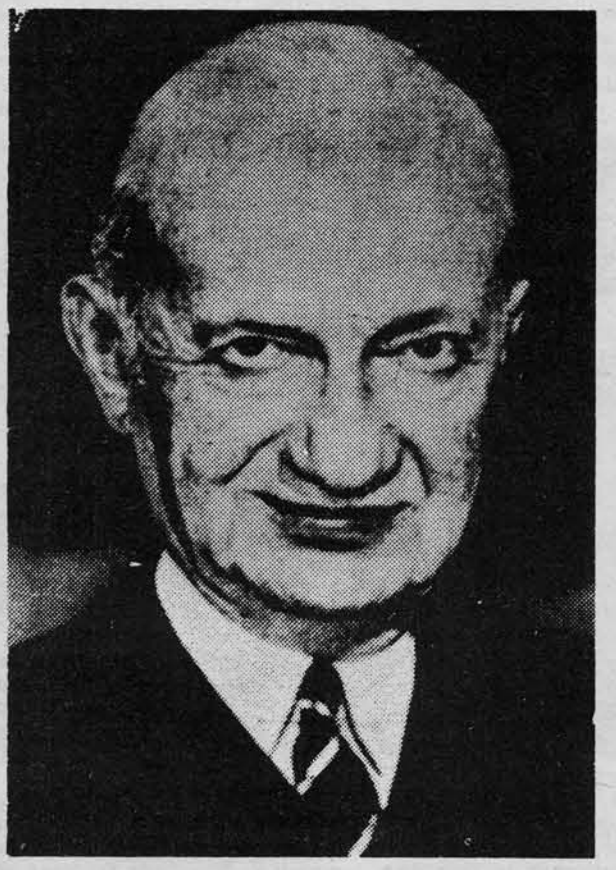
One sister in the community found and evacuated a 14" rat in her bathroom. The apartment house the sister lives in is owned and operated by the city.

"WE WANT DECENT HOUSING FIT FOR THE SHELTER OF HUMAN BEINGS"

FAIR TRIAL

Continued from Page 6

MR. SCHULTZ: Mr. Rubin is talking to me while Mr. Kunstler is addressing the court. I just want to make that record.
MR. KUNSTLER: ...I think the Court owes a duty to the defense counsel in this case to see that the conduct of the marshals in this case with Mr. Seale and the entire binding and gagging be referred by your Honor to the Judicial Conference of the United States Courts for an immediate investigation. If your Honor does not do it, the defendants will make this formally.
THE COURT: Oh, don't threaten the Court.
MR. KUNSTLER: It is not a threat, your Honor. I am telling you what we are going to do.



"THE HANGING JUDGE"

PIG JULIUS J. HOFFMAN

thought they were right, they would just persist in the introduction throughout the whole trial, just stand there and keep on trying to introduce it... This philosophy destroys the judicial proceedings and it is the philosophy that Mr. Kunstler and Mr. Weinglass are practicing in the courtroom...
MR. HAYDEN: (rising) Your Honor, could I address you?
THE COURT: No, you may not, sir. You have a lawyer. That is what lawyers are for. I am not permitted under the decisions of the Supreme Court to let you speak.
MR. HAYDEN: All I want to say is that...
THE COURT: Sit down, please
MR. HAYDEN: Bobby Seale should not be put in a position of slavery.
THE COURT: Mr. Marshal --
MR. HAYDEN: He wants to defend himself.
THE COURT: Tell that man to sit down. What is his name ?
MR. HAYDEN: My name is Tom Hayden.
MR. HAYDEN: I would just like to --
THE COURT: Let the record show that Mr. Tom Hayden rose and addressed the court, persisted in speaking despite the court's direction that he sit down. Bring in the jury, Mr. Marshal.
MR. DELLINGER: What about the motion? There was a motion. Was there a motion for voir dire of the jury? He hasn't ruled.
MR. WEINGLASS: Your Honor, will you rule on my motion? I made a motion to voir dire this jury.
THE COURT: The form of the motion is bad; therefore I deny it.
MR. WEINGLASS: May I have an opportunity to rephrase the form of the motion?
THE COURT: No.
(The jury files back in, looking chary)
THE COURT: Ladies and gentlemen of the jury, I must repeat in substance some of the observations I made to you yesterday about the unusual and extraordinary things that occurred in this court. These incidents are not to be considered by you in determining the guilt or innocence of any of the defendants and I order you to disregard the incidents as you saw them and as you heard them. It is, of course, as I pointed out, my obligation under the law to serve as the governor of this trial. That is the law in the Federal District Court and I have been trying each day to discharge my obligation under the law to insure the defendants as well as the United States of America a fair trial.
(Bobby Seale is shouting; though muffled by the gag, the words are clear: "You are denying my constitutional rights; I demand my constitutional rights.")
Mr. Seale, I will ask you to refrain from making those noises. I order you to refrain from making those noises!
MR. DAVIS: (rises and turns toward the jury) Ladies and gentlemen of the jury, I am trying to say he was being tortured while you were out of this room by these marshals. They come and torture him while you are out of the room. It is terrible what is happening here. It is terrible what is happening.
MR. FORAN: That is Mr. Davis, your Honor.
THE COURT: Ladies and gentlemen of the jury, my usual order . . . (the jury begins to file out) . . . Who is that man who was talking?
A DEFENDANT: Your Honor, he is being choked to death -- tortured - -

THE COURT: Mr. Hoffman, you are directed to refrain from speaking. You are ordered to refrain from speaking. It is clear after this morning that I think we cannot go ahead. I would be glad to entertain first suggestions from the Government and then from the defense as to whether or not this trial shouldn't be recessed until two o'clock. I am perfectly willing to try to continue and do my best to discharge the obligations of my office.
MR. FORAN: Your Honor, I would like to see if we couldn't continue.
THE COURT: What do you say?
MR. FORAN: I would like to see if we could continue.
THE COURT: All right. It will take some time to -- then we will take a brief recess.
MR. HAYDEN: I thought you were going to ask the defendants.
MR. WEINGLASS: Are we part -- weren't we being invited to participate in the dialogue between the --
MR. SCHULTZ: It is they who are disrupting this trial and now they want to make the decision as to whether or not we should proceed. It is incredible! It is they who are fostering this and they want to advise the Court . . .
THE COURT: (rising) I have ordered a recess.
MR. WEINGLASS: The Court invited it.
THE COURT: Let the record show that...
MR. HAYDEN: (to the other defendants and spectators) Stand up. Stand up. Don't let them have any pretext.
THE COURT: Let the record show that Mr. Hayden asked the people...
MR. HAYDEN: I ask the people here to do what they were told and they did it.
THE COURT: Mr. Hayden, do not try to fill my sentences out for me, and you are not permitted to speak except as you may come to be a witness in this case. You are not permitted to speak out loud. You may, of course, consult with your lawyer.
MR. SCHULTZ: There are three defendants who have not risen, Mr. Dellinger, Mr. Rubin and Mr. Hoffman.
(Brief recess)
THE COURT: Let the record show that -- which of the defendants have not risen ?
MR. RUBIN: Rubin.
MR. SCHULTZ: Defendants Rubin, Hoffman, Davis, Dellenger.

THE COURT: Gentlemen, there are aspects of this case that I want to consider before we resume with the trial and we will recess now until two o'clock this afternoon. Mr. -- will you bring in the jury, please. Le them stand before the jury box.

(The following proceedings were had in open court in the presence and hearing of the jury.)

THE COURT: Ladies and gentlemen of the jury, there remains only a short time in ordinary circumstances before the Court would recess. I have concluded to recess court until two o'clock with my usual order to you, not to talk with any body about this case, not to let anybody speak with you about it, not to discuss the case among yourselves. If anybody attempts to communicate with you in any manner whatsoever, please comm-



SEVEN OF THE CONSPIRACY 8 WITH ATTORNEYS; LEONARD WEINGLASS (FAR LEFT) AND WILLIAM KUNSTLER (FAR RIGHT).

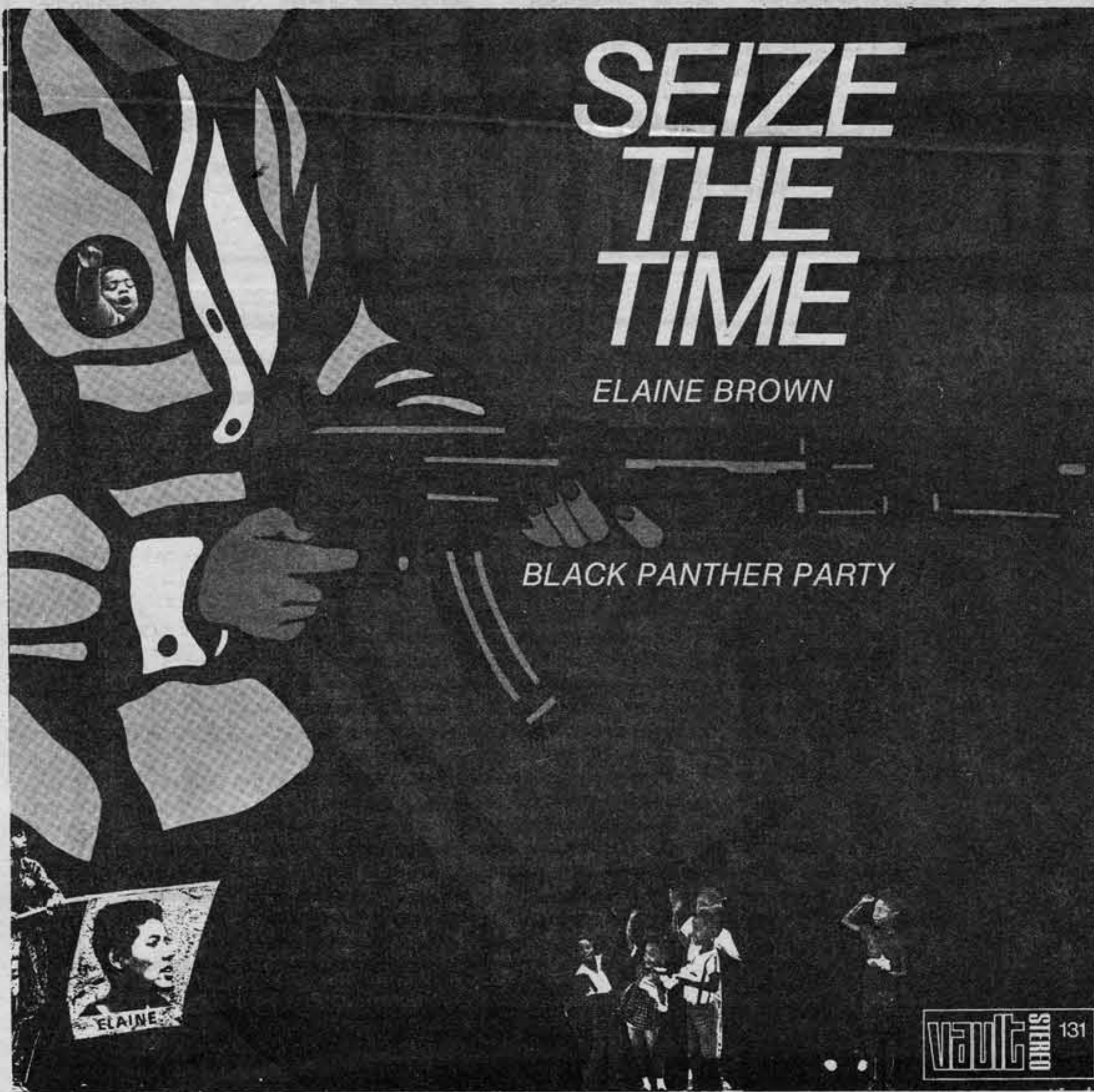
THE COURT: I would tell you, sir, that the United States District Judge who practiced law in the courts of the United States and sat on state and federal benches for 50 years has to sit here, sir, and have a defendant call him a pig?
(Bobby Seale shouts angrily; the sound is muffled.)
Listen to him now.
MR. KUNSTLER: Your Honor, we cannot hear him because of the binding and gag on him.
THE COURT. You bring that to the Judicial conference or wherever you want to bring it.
MR. KUNSTLER: But in addition to that, your Honor . . .
THE COURT: I will ask you to sit down.
MR. KUNSTLER: You could have stopped all of this by merely letting him defend himself. You had a reasonable alternative . .
MR. SCHULTZ: . . . If the Court please, may I make just a brief observation in reply to Mr. Kunstler? Mr. Kunstler said Mr. Seale wants his trial now, he doesn't want to wait for a judicial review. He wants it now. If the Court please, that is representative of the whole philosophy of the defense that we see. If they don't get what they want now, they demand it by disrupting in this case, disruption of the judicial proceeding. If the defendants wanted to introduce hearsay into evidence and the government objected and they

MR. SEALE: (through the gag, but clearly) The judge is not . . . he is not trying to give you no fair trial. That's what you are. You are lying. You know exactly what you are.
(Marshals move in to restrain him; the jury is now almost out of the courtroom.)
MR. HAYDEN: Now they are going to beat him, they are going to beat him.
MR. HOFFMAN: You may as well kill him if you are going to gag him. It seems that way, doesn't it?
THE COURT: You are not permitted to address the Court, Mr. Hoffman. You have a lawyer.
MR. HOFFMAN: This isn't a court. This is a neon oven.
MR. FORAN: That was the defendant Hoffman who spoke.
THE COURT: Let the record show that the defendant Hoffman spoke.
MR.SCHULTZ: Prior to that it was Mr. Hayden who was addressing the jury while they were walking out of here.
MR. HAYDEN: I was not addressing the jury. I was trying to protect Mr. Seale. The man is supposed to be silent when he sees another man's nose being smashed?
MR. HOFFMAN: The disruption started when these guys got into overkill. It is the same thing as last year in Chicago, the same exact thing.

unicate with the Marshal, United States Marshal, who will in turn lay the matter before me.
I must order you, as I have heretofore, not to read the newspapers or other journals, not to listen to radio or television or look at television.
And, Mr. Witness, you are ordered to return here at two o'clock for further examination, not to talk with anybody about this case or anybody speak with you about it, until you resume the stand. Two o'clock, Mr. Marshall.

(Whereupon, at 11:53 a.m., a recess was taken to 2:00 p.m., of the same day, Thursday, October 30, 1969.)

PRISONERS OF WAR FOR POLITICAL PRISONERS



Designed By Emory

SEIZE THE TIME

REVOLUTIONARY ALBUM NOW AVAILABLE

The revolutionary album called "Seize The Time" by Elaine Brown, that the Black Panther Party has promised to the people since October is now on sale.

Elaine, Deputy Minister of Information of the Southern California Chapter, whose songs you have heard live at our rallies and speaking engagements, has taped the feelings of the Black Panther Party and is inviting the people to enjoy and learn (the words to the songs are printed on the inside of the cover), and begin to have a deeper understanding of your Vanguard Party.

The album is being distributed to record shops and will be available soon. You can obtain the album now at:

Black Panther Party
National Distribution
Tel: 415-922-6322

Black Panther Party
National Headquarters
Tel: 415-845-0103

Southern California Chapter
Black Panther Party
Tel: 213-235-4127

In all societies, the way of life of the people, their culture, mores, customs, etc., evolve from the economic basis of that society. The United States is a capitalist society, the system of capitalism being one of exploitation of man by man, with by-products such as racism, religious chauvinism, sexual chauvinism, and unnatural divisions among the people. In other words, it's a dog-eat-dog society. But it's not a dog-eat-dog world.

Men are not innately greedy, nor are they innately uncooperative with each other. Therefore, it is our goal, it is the goal of the Black Panther Party, and must be the goal of all men, to create conditions in which men can start being human, can begin to cooperate with each other, can live with each other, in fact, in peace. Men cannot do this without an arena in which to do so. In other words, in an exploitative system men are forced to exploit. In an unkind system, men are forced to be unkind. In a world of inhumanity, men will be inhuman. In a society that is warmongering, men will war. These are the aspects or the way of life of a people who are part of a capitalist system.

And songs are a part of the culture of society. Art, in general, is that. Songs, like all art forms, are an expression of the feelings and thoughts, the desires and hopes, and so forth, of a people. They are no more than that. A song cannot change a situation, because a song does not live and breathe. People do.

And so the songs in this album are a statement — by, of, and for the people. All the people. A statement to say that we, the masses of people have had a game run on us; a game that made us think that it was necessary for our survival to grab from each other, to take what we wanted as individuals from any other individuals or groups, or to exploit each other. And so, the statement is that some of us have understood that it is absolutely essential for our survival to do just the opposite. And that, in fact, we have always had the power to do it. The power to determine our destinies as human beings and not allow them to be determined by the few men who now determine them. That we were always human and always had this power. But that we never recognized that, for we were deluged, bombarded, mesmerized by the trinkets of the ruling class. And this means all of us: Black, Mexican, White, Indian, Oriental, Gypsy, all who are members of the working class, of the non-working class (that is, those who don't have jobs), all who are oppressed.

This means all of us have this power. But the power only belongs to all of us, not just some or one, but all. And that was the trick. That was the thing we never understood. And that is what statement these songs make.

ALL POWER TO THE PEOPLE.
SEIZE THE TIME.

Elaine Brown

Elaine Brown
Deputy Minister of Information
Southern California Chapter
Black Panther Party

DIG

By Eldridge Cleaver



From "Revolution and Education"

"...the process of breaking out of slavery, the process of breaking out of a set of social arrangements, of a social organization that is killing us, this process is named revolution;...revolution is a glorious term, it's a term to be proud of, and we should know that we are morally right, we are right in every sense of the term, that the oppressor is the one who is wrong; and that the oppressor has no rights, which the oppressed are bound to respect..."

ELDRIDGE CLEAVER
MINISTER OF INFORMATION
BLACK PANTHER PARTY

$3.50 PER ALBUM

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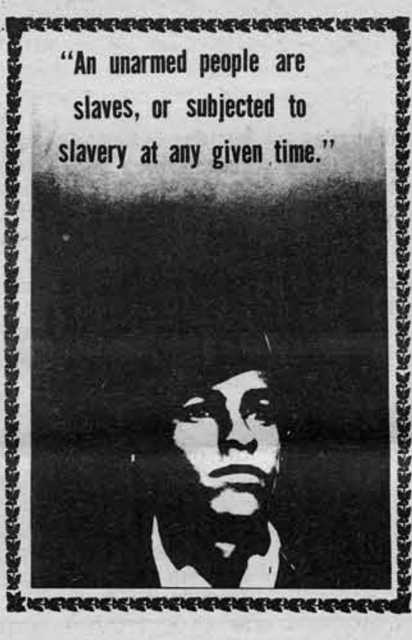
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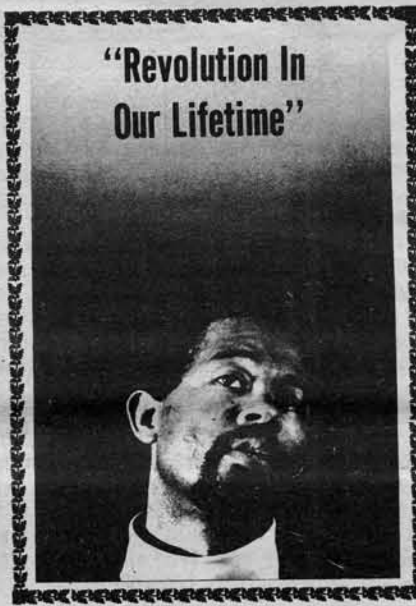
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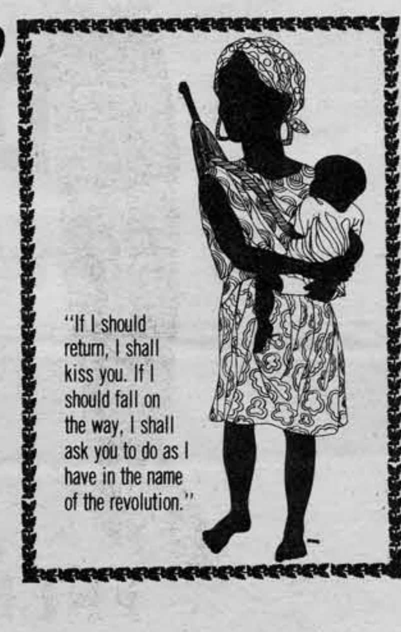

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For further Information call

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October 1966

Black Panther Party Platform and Program

What We Want What We Believe



FREE HUEY

Minister of Defense, Black Panther Party

1. We want freedom. We want power to determine the destiny of our Black Community.

We believe that black people will not be free until we are able to determine our destiny.

2. We want full employment for our people.

We believe that the federal government is responsible and obligated to give every man employment or a guaranteed income. We believe that if the white American businessmen will not give full employment, then the means of production should be taken from the businessmen and placed in the community so that the people of the community can organize and employ all of its people and give a high standard of living.

3. We want an end to the robbery by the CAPITALIST of our Black Community.

We believe that this racist government has robbed us and now we are demanding the overdue debt of forty acres and two mules. Forty acres and two mules was promised 100 years ago as restitution for slave labor and mass murder of black people. We will accept the payment in currency which will be distributed to our many communities. The Germans are now aiding the Jews in Israel for the genocide of the Jewish people. The Germans murdered six million Jews. The American racist has taken part in the slaughter of over fifty million black people; therefore, we feel that this is a modest demand that we make.

4. We want decent housing, fit for shelter of human beings.

We believe that if the white landlords will not give decent housing to our black community, then the housing and the land should be made into cooperatives so that our community, with government aid, can build and make decent housing for its people.

5. We want education for our people that exposes the true nature of this decadent American society. We want education that teaches us our true history and our role in the present-day society.

We believe in an educational system that will give to our people a knowledge of self. If a man does not have knowledge of himself and his position in society and the world, then he has little chance to relate to anything else.

6. We want all black men to be exempt from military service.

We believe that Black people should not be forced to fight in the military service to defend a racist government that does not protect us. We will not fight and kill other people of color in the world who, like black people, are being victimized by the white racist government of America. We will protect ourselves from the force and violence of the racist police and the racist military, by whatever means necessary.

7. We want an immediate end to POLICE BRUTALITY and MURDER of black people.

We believe we can end police brutality in our black community by organizing black self-defense groups that are dedicated to defending our black community from racist police oppression and brutality. The Second Amendment to the Constitution of the United States gives a right to bear arms. We therefore believe that all black people should arm themselves for self-defense.

8. We want freedom for all black men held in federal, state, county and city prisons and jails.

We believe that all black people should be released from the many jails and prisons because they have not received a fair and impartial trial.

9. We want all black people when brought to trial to be tried in court by a jury of their peer group or people from their black communities, as defined by the Constitution of the United States.

We believe that the courts should follow the United States Constitution so that black people will receive fair trials. The 14th Amendment of the U.S. Constitution gives a man a right to be tried by his peer group. A peer is a person from a similar economic, social, religious, geographical, environmental, historical and racial background. To do this the court will be forced to select a jury from the black community from which the black defendant came. We have been, and are being tried by all-white juries that have no understanding of the "average reasoning man" of the black community.

10. We want land, bread, housing, education, clothing, justice and peace. And as our major political objective, a United Nations-supervised plebiscite to be held throughout the black colony in which only black colonial subjects will be allowed to participate, for the purpose of determining the will of black people as to their national destiny.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness. **That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.** Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly, all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. **But, when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security.**


PEACE
OINK LIKE VIOLENCE MAN
LIKE PEACE PIG
PIG
EMORY